

**Constructing and Contesting Color Lines:
Tidewater Native Peoples and Indianness in Jim Crow Virginia**

By Laura Janet Feller
B.A., Westhampton College of the University of Richmond, 1974
M.A., The George Washington University, 1983

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James Oliver Horton
Benjamin Banneker Professor of American Studies and History

The Columbian College of Arts and Sciences of The George Washington University certifies that Laura Janet Feller has passed the Final Examination for the degree of Doctor of Philosophy as of December 4, 2008. This is the final and approved form of the dissertation.

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Laura Janet Feller

Dissertation Research Committee:

James Oliver Horton, Benjamin Banneker Professor of American Studies and History, Dissertation Director

Teresa Anne Murphy, Associate Professor of American Studies, Committee Member

John Michael Vlach, Professor of American Studies and of Anthropology, Committee Member

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Abstract of Dissertation

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Indian peoples in the United States have faced many challenges to their group and individual identities as Native Americans over centuries of cultural exchange, demographic change, violence, and dispossession. For Native Americans in the South those challenges have arisen in the context of the idea of “race” as a two-part black-white social, cultural, and political system. This dissertation explores how groups and individuals in tidewater Virginia created, re-created, claimed, re-claimed, retained and maintained identities as Indians after the Civil War and into the 1950s, weathering decades of the ever-stranger career of Jim Crow. They did this in the face of varied pressures from white Virginians who devoted enormous political and social effort to the construction of race as a simple binary division between black and white people.

In the era after the Civil War, tidewater Indians coped by creating new tribal organizations, churches, and schools, presenting theatrical productions that used pan-Indian symbols, and maintaining separations from their African American neighbors. To some extent, they acquiesced in whites’ notions about the “inferior” racialized status of African Americans. In late nineteenth- and early twentieth-century tidewater Virginia, while contending with, and sometimes adapting, popular ideas about “race” and “blood purity,” organized tidewater Virginia Indians also drew from a sense of their shared histories as descendants of the Algonquian Powhatan groups, and from pan-Indian imagery. This project explores how popular ideas about “race” shaped their world and their efforts to position themselves as red rather than black or white, while whites worked

to construct “race” along a black-white “color line.”

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Introduction

The challenge is not only to recognize the fluidity of race, but to find ways of narrating events, social movement, and the trajectory of individual lives in all their integrity along the convoluted path of an ever-shifting racial reality.¹

Matthew Frye Jacobson

One narrative that illuminates the “ever-shifting racial reality” in America is the story of how individuals and communities in tidewater Virginia created, re-created, and publicly claimed and re-claimed Native American identities after the Civil War and into the 1950s, weathering decades of the ever-stranger career of Jim Crow. They did this in the face of varied pressures from white Virginians who devoted enormous political and social effort to the construction of race in Virginia as a black-white binary system.

A 1924 Virginia “miscegenation” law, an “Act to Preserve Racial Integrity,” exemplifies those efforts. That law demonstrated how racialized justifications for segregation could be joined to national eugenic debates of the 1920s. It also punctuated decades of efforts by white individuals to deny that anyone in Virginia was “really” Indian, based upon the notion that all Virginians who said they were Indian were at best racially “mixed” and had some white or African “blood.”

Thus, in late nineteenth- and twentieth-century Virginia, the popular “one drop” idea of what makes one an African American came together with ideas about “blood quantum” and “purity” of racialized “blood,” at a time when tidewater Native people were constructing, re-constructing, and maintaining identities as Indians in the aftermath of emancipation and in the era of Jim Crow. While sometimes contending with, and sometimes adapting for their own purposes, popular ideas about “blood” purity and

¹Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998), 275.

racialized identities, organized tidewater Virginia Indians also drew from a sense of their shared, localized histories as descendants of the Algonquian Powhatan groups, and from pan-Indian symbols. This project explores how popular ideas about “race” pervaded their efforts, even as they worked to position themselves as “red” rather than black or white, while whites worked to construct of “race” along a black-white “color line.”

The organized tidewater Indian groups persisted in their fight for acceptance of their Indian identities despite their lack of distinctive languages and the fact that for more than a century they had been perceived by outsiders as having lost most of the material culture that many whites regarded as markers of “real” Indians. Organized tidewater Natives’ campaigns, institutions, and representations of Indian identity illuminate a part of the story of the construction of “race” in America, but also some of the complications raised by questions about how “ethnic” groups form and persist in the United States. How can we best talk about the histories of “race” and ethnicity in America? How can a shared sense of a common history contribute to construction of ethnic or racialized boundaries, compared to other factors such as a shared land base, parentage, or language? How is it that for Native Americans, whites so often have assumed and even imposed the notion that the only valid Native tradition is one that, if not totally static, has a documentable track stretching “unbroken” back through many generations?

For American Indians nationally, part of this dynamic has been that they have dealt with whites in whose eyes Indians were often both racialized and ethnicized. For tidewater organized Native groups in the period of this study, it seems that their foes wanted them categorized primarily as “racial” groups, and that Virginia Indians fought

back on grounds and with weapons that to a large extent reflected the racialized, segregated world in which they lived.

The 1924 law on “racial integrity” was part of a long history of racial legislation in Virginia and throughout the United States designed to create racialized lines in a world where such lines had been blurred since the age of European colonization began. “Miscegenation” law, for example, was solidly entrenched in the English colonies then in the United States, until the Supreme Court’s 1967 ruling in *Loving v. Virginia*. The first ban on “interracial” marriage in the English North American colonies was Maryland’s in 1664. Virginia’s first “miscegenation” law dated from 1691, and it explicitly included Native Americans among those forbidden to marry white individuals. Before 1924, Virginia laws specified what made someone black rather than defining whiteness. To define “blackness” as a legal matter, Virginia law before 1924 typically expressed and codified racialized identities in terms of numbers of ancestors, or fractions of ancestry. Virginia’s 1924 “racial integrity” law, though, defined legal “whiteness” rather than “blackness.” In doing so, this statute in effect made a matter of explicit law, for the first time in Virginia, the concept of a “one drop rule” for what makes someone legally African American. The sole exception to the whiteness definition in the 1924 law was that a Virginian could be legally white if he or she had no more than “one-sixteenth” Indian “blood” and his or her ancestors were otherwise “white.”

This 1924 statute stands at several intersections in the history of racist thinking and racism in America. In it, Jim Crow meets “scientific racism” and eugenic thought. As a “miscegenation” law, the statute also illustrates some of the ways in which

racialized identities are entwined with conflicts about sexuality.² It evidences how constructions of social and cultural identities could connect with, or be contested by, state powers and legal discourses, within the context of the modernizing tendencies of post-World War I governmental policies and programs.

The 1924 law passed at a critical time in the history of the construction and reconstruction of ethnicized and racialized identities and the boundaries of citizenship in the United States. A large part of the context for this law is the long contest over the meanings of citizenship for African Americans after the Civil War. Citizenship for immigrants, nationally, was also a contested area in 1924. Nineteen twenty-four saw the U. S. Congress mandate administrative establishment of a more restrictive system of immigration quotas. That mandate was designed mainly to reduce the flow of immigration from eastern and southern Europe, places that had been sources of major groups of migrants, particularly before World War I. New quotas were advocated by eugenics supporters who argued for limiting the numbers of immigrants from those parts of the world on grounds that such immigrants, because they were not “Nordic” or “Anglo-Saxon,” were racially and eugenically less “desirable.” Nineteen twenty-four was also the year of the first United States law to provide a blanket statement about the citizenship of United States-born Native Americans.

Today, immigration and citizenship remain areas of contest, and American mass media seem relatively more open to stories in which race figures as a historical, social, political, cultural, economic construction rather than a natural, biological, and therefore presumably immutable, phenomenon. In the 2000 census, when Americans could for the

²Jacobson, *Whiteness of a Different Color*, 68.

first time check more than one box to indicate their racial identity(ies), news media narrated stories about the U. S. Census Bureau grappling with “mixed-race” people. Increasingly, Americans may witness explicitly “mixed-race” individuals’ stories in popular media. Still, many Americans have absorbed the idea that until recently the fabled “one drop” notion of what makes a person African-American was ubiquitous, universal, undisputed and indisputable, and that, as a matter of law, it was uniformly prevalent over time and across the country. If the concept of the “color line” as a “natural” immutable binary black-white divide is now losing some of its grip as a prevailing common-sense notion in America, the story of Native American people in tidewater Virginia who constructed “red” identities in the midst of Jim Crow contributes to understanding of the historical contexts of that trend.

This study explores how the construction of race, even in the southern states, historically was complicated and contested by the existence of individuals and organized groups who publicly claimed Indian rather than white or black identities. Rather more difficult to document are the histories of Virginians who privately identified themselves as “part” Indian or talked within the family about Indian forebears, but did not publicly pursue recognition of Indianness, and lived as African Americans. This study is intended to illuminate some of the pressures and contexts that framed the choices of those who made both kinds of decisions.

It has become a commonplace among students of “race” in America that racialized categories, including “whiteness,” must be examined, questioned, and understood as cultural, social, and political constructions that are contingent and ever-changing, and yet have deep historical roots and enormous political power. Students of

the history of “whiteness” such as Matthew Frye Jacobson and Alexander Saxton have shown how racialized categories as a historical phenomenon could be extended to many immigrant groups in the United States in the nineteenth century-- but in the twentieth century “race” came to mean primarily, for many Americans, a two-sided divide between black and white. If the idea of whiteness had splintered in the nineteenth century into elaborated classificatory schemes of race involving multiple categories that were applied to a wide range of groups who immigrated to America, Jacobson argued that in the 1920s the idea of whiteness “reconsolidated,” and then, race in America again tended to be widely seen as a black-white binary system.³ He also pointed out that “The policing of sexual boundaries-- the defense against hybridity-- is precisely what keeps a racial group a racial group.”⁴ In Virginia, the eugenic proponents of the “racial integrity” law of 1924 precisely worried most about “hybridity” and so they sought to place Virginia’s organized Indians on the “black” side of a binary “color line.”

Virginia’s 1924 “racial integrity” law was preeminently a law about “miscegenation” and drew its primary charge from whites’ fears of African American “blood” in the larger population. Its enforcement, especially given centuries of racial “mixing” in Virginia, was more than problematic, and was bound to collide with conceptions of Indianness as well as blackness and whiteness. Far from being simply a nod in the direction of elite Virginia families who claimed Pocahontas as an ancestor, the inclusion of the “one-sixteenth” exception in the definition of whiteness in 1924 “racial

³Jacobson, *Whiteness of a Different Color*, 6-7.

⁴Jacobson, *Whiteness of a Different Color*, 3.

integrity” law signaled that there could be significant complications in the black-white divide that Virginia lawmakers and officials worked so hard to build and maintain.

Starting with 1924 as a focal point, this project looks at Native and “mixed” Native identities as claimed and recorded before and after passage of Virginia’s “Racial Integrity” law. Moving backward into the post-Civil War era and then forward from 1924 into the 1950s, this study explores the impact of Virginia’s 1924 “miscegenation” law on individuals and communities who claimed Native American identities. The 1924 law was a climax of sorts in decades of official and social efforts by whites to classify Virginia Indians variously as “persons of color,” “mulattoes,” or African Americans. Native peoples’ reservation lands in Virginia disappeared, except for two that survive to this day. The Mattaponi and Pamunkey people of those two reservations had some advantages in that they had and have a land base, and along with that land they also have community structures recognized by whites. Even the reservation peoples, though, faced white reluctance to concede the continuing existence of red, rather than black or white, identities in Virginia. Non-reservation tidewater Native people had even trickier choices to make about when and how they would identify themselves publicly, in official situations and documents, as Indians.

Within systems of southern segregation that articulated and rationalized a black-white color line, tidewater people making public claims to American Indian identities variously complicated, accepted, and challenged prevailing notions of race. This study will examine when and how some individuals and groups asserted Indian identities-- and when did they not challenge the basic notion of “race” that underlay the black-white

“color line.” In doing so, they might deny the realities of centuries of sexual and other relationships between black and red, as well as white, Virginians.⁵

As southerners coming from that history of centuries of race “mixing,” organized tidewater Native people after the Civil War and into the post-World-War II era dealt with a powerful segregationist political and cultural regime. Virginia’s 1924 “racial integrity” law was nothing if not based in biologized racialist thought of the time. If many white Virginians in 1924 viewed Indianness as a racial and biological category (though a category that some white officials sought to deny and erase), that raises the question: was it possible for Native people to construct Indianness as an “ethnicity” in pre- or post-World-War II Virginia? The sociologists Michael Omi and Howard Winant have argued that since the early 1940s, some Americans have come to view race as a form of ethnicity, although especially in the South older notions about “race” as a fundamentally natural and biological phenomenon have lived on.⁶ Omi and Winant categorize the major (but not the only) challenges, since the mid-1960s, to that “common-sense” understanding of race-as-ethnicity in two main areas: that is, “*class* and *nation*-based theories of race.”⁷ Though they raise these two “theories” in relation to the 1960s, but it provokes the question whether there is any evidence to suggest that Native and “mixed” Native people in tidewater Virginia in the first half of the twentieth century experienced, responded, and reacted to notions of race-as-biology either by framing their Indian

⁵Laura L. Lovett, “ ‘African and Cherokee by Choice:’ Race and Resistance under Legalized Segregation,” *American Indian Quarterly* 22 (1998): 203, 218-219.

⁶Michael Omi and Howard Winant, *Racial Formation in the United States From the 1960s to the 1990s*, (New York and London: Routledge, 1994), 5.

⁷*Ibid.*

identities within frameworks of race-as-ethnicity, or by developing nationalism-based strategies (such as using pan-Indian symbols, for example) before the 1960s?

If the 1920s saw developments in anthropological and sociological analyses of “race” that we would recognize today as modern-- and the development of notions of ethnicity that could challenge ideas about race-- those developments coincided with a moment when eugenic racialism was reaching a high point in the United States and in Virginia, as evidenced by the passage of the 1924 “racial integrity” law. Ultimately, “ethnicity” could prove a poor fit for the needs and situations of groups who had historically been racialized. The notion of ethnicity included ideas about cultural “pluralism,” but also strains of thinking that emphasized assimilation as an overwhelming “fact” of modern culture contact, and Native peoples in America have perhaps been the targets of the most focused and official pressures to “assimilate.”⁸

For southern Native peoples, despite the history of white expectations nationally that Indians would “vanish” as culturally distinctive people, “assimilation” could entail expectations that Native people would live on the “colored” or “black” side of the southern racial divide. By the 1920s, for southern Indians, Jim Crow was further complicated by strains of eugenicist thinking that were so powerful in the Progressive era. If during and after the 1920s race became, increasingly, in the minds of many white Americans a matter of white and black, it does seem that the concept of “mixed” people lost traction in some official contexts like the United States census. Still, the idea of “half-breeds” and “full-bloods” persisted in federal dealings with Native American groups.

⁸Omi and Winant, *Racial Formation in the United States*, 10, 14-17, 20.

“Race” presented particularly thorny issues for southern Indians, but “nation-based” ways of constructing Indian identities could potentially provide alternatives to the racialization of Indianness. Broadly speaking, varied conceptions of tribal sovereignty have been extremely important for Native people long before the post-World-War II era, and pan-Indianisms, which could be interpreted broadly as “nation-based” strategies and statements, long predate the 1960s. This project will explore tidewater Virginian Indian groups’ use of pan-Indian material culture, as well as non-reservation groups’ efforts to build tribal organizations that would signal political organization that could also be interpreted in some ways as “nation-based” strategies

This study argues that, while tidewater Natives did accept aspects of the ideologies that explained and justified Jim Crow, they also drew significantly not only from pan-Indianisms, but also from a shared history that linked them to seventeenth century Virginia, to define and announce their Indian identities.

The measure of their success is that, despite decades of official “dis-recognition” of Indians in Virginia, today in addition to the remaining reservations that date from the seventeenth century (the Mattaponi and Pamunkey people), five non-reservation organized tidewater Native groups (Chickahominy, Eastern Chickahominy, Upper Mattaponi, Rappahanock, and Nansemond people) are now recognized by the state. Since 1983, Virginia has officially recognized six organized Native American groups (five in tidewater) in addition to the reservation Mattaponi and Pamunkey. There is now a state-established Virginia Council on Indians which functions as an official advisory board to the state government. This is just the most recent chapter in the story of how people in tidewater Virginia created, maintained and re-created Indian identities over

decades to re-emerge more prominently in the public sphere as Indians in the later twentieth century.

To attend to the stories of how those organized groups in Virginia claimed Indian identities is to explore not only a potential chink in the southern edifice of race as constructed by white Virginians, but also the ways in which racist thinking might operate on, and among, people who asserted identities that were neither black nor white. That influence and process have deep historical roots. Some Virginia whites, by at least the 1840s, responded to the existence of Native and “mixed” people by asserting that even on Virginia’s reservations, the people were virtually black as a result of centuries of intermarriages with African Americans.⁹ As J. Anthony Paredes noted, especially for Native groups in the South without government recognition, “the racism of the surrounding society was perhaps as much buttress of Indian solidarity as it was barrier to full participation in white society.”¹⁰ Still, that racialism also made recognition of African American kinship ties and historic participation in Native communities problematic for those trying to assert and maintain their Indianness in public in the South.

There is now considerable scholarly literature about how Europeans and European-Americans historically developed their ideas about “races,” racial “differences,” and how to categorize people racially around the globe. There is also an important literature describing how Native Americans encountered, countered, and

⁹See, for example, the transcription of “A Petition from Citizens of King William County, Virginia” (MS petitions, King William County, B 1207), 20 January 1843, file 3695, National Anthropological Archives, Washington, D.C.

¹⁰J. Anthony Paredes, in the Introduction to *Anthropologists and Indians in the New South*, ed. by Rachel A. Bonney and J. Anthony Paredes (Tuscaloosa and London: University of Alabama Press, 2001), 3.

adapted to, European notions about “race.” Some contend that when Europeans first encountered Native Americans, they saw the indigenous people of the Americas as “basically white like themselves,” because of religious traditions that human beings derive from a common ancestry, not “polygenetically” from separate species.¹¹ Native peoples of the Americas, of course, had their own ways of approaching peoplehood and group membership and identity. Daniel Mandell has said as a generalization that “Unlike whites, Indians traditionally welcomed mixed marriages as a way to bring new skills and power into the community” though they did expect adoptees to behave in ways consistent with the ways of the community and raise their children as members.¹²

What is clear is that white ideas about “race” as a fundamental category of differences between Indians and blacks and whites developed over time and space, changing in nature and intensity, and that Native peoples, especially as their political power waned, had to deal in varied ways with evolving white ideas about “race.” The English in seventeenth-century Virginia had a marked sense of their difference from Native and African-American people—whom they could situate together as legally non-white. The English colonists succeeded in some important ways in pushing Native groups in tidewater Virginia out of positions from which those groups could claim independent autonomous status as a people, but this destruction also brought about reconstructions among Virginia Native communities. As Rebecca Bateman has pointed out, the long history of colonialism in the western hemisphere includes not only disintegration

¹¹ See, for example, Circe Sturm, *Blood Politics: Race, Culture, and Identity in the Cherokee of Oklahoma* (Berkeley, Los Angeles and London: University of California Press, 2002), 44.

¹² Daniel R. Mandell, *Behind the Frontier: Indians in Eighteenth Century Eastern Massachusetts* (Lincoln and London: University of Nebraska Press, 1996), 188.

and dispossession of cultural groups in the Americas, but also development of new groups, as “Survivors of native societies ravaged by disease and warfare recombined with others to form new cultural groups” and as Africans and African Americans sometimes managed to form communities outside the plantation economy.¹³

Southern Native American groups responded to racialism in a variety of ways. For tribes in regions where European-style chattel slavery became fundamental to the structure of whites’ society and economy, the existence of the “peculiar institution” and the presence of enslaved people evoked a wide range of oppositions, accommodations, and economic and social changes. As the eighteenth century drew to a close, some southeastern Native groups adopted European-style racialized chattel slavery and whites’ ideas about the “place” of African Americans in a slave society. The history of “interracial” sex and marriage, of course, made this move complex.

Southern arguments about Indianness played out against a historical backdrop that allowed many southern whites, especially those farther east, to think of Native Americans as vanquished, uprooted and exterminated—part of a nostalgic and romanticized vision of the past that left virtually no room for contemporary Indian peoples. “Real” Indians were stereotypically out west, on a “frontier.” Historians are not immune from this notion. Bernard W. Sheehan, for example, wrote that the English destroyed the Powhatan people in the course of the seventeenth century. This is true in the sense that the Powhatan confederacy ceased to exist as a unified political power, but

¹³ Rebecca B. Bateman, “Africans and Indians: A Comparative Study of the Black Carib and Black Seminole,” *Ethnohistory* 37, no. 1(1990): 1.

as Sheehan does acknowledge, Powhatan people did survive in Virginia.¹⁴ As late as 1800 there were four reservations in Virginia as well as other groups identifiable as Indians who held no reservation lands, but the Powhatan people were a small group, (probably they numbered only about one thousand), and certain kinds of cultural change among them had accelerated in the eighteenth century that made them appear to whites less “distinctively” Indian.¹⁵

Thus, for some white Virginians over the course of the eighteenth century, Indians became most vivid not as living individuals, neighbors, and communities but as the stuff of legend and stereotype, as symbols in a frontier mythology and as foils for stories of the triumph of colonialism and white nationhood. Ultimately, some southern whites used the stories of John Smith, John Rolfe, and Pocahontas, for example, to hold up for the South a myth of the origins of the American nation to rival the Pilgrim national-creation story so beloved in the North.¹⁶ Once whites were dominant politically and economically in most of Virginia, they could represent Native peoples in romantic and sentimental ways as having fallen from “innocence” and a “state of nature” through adaptation to Anglo ways.¹⁷ Robert Beverley, for example, could safely express “sentimental regret” about the destruction of the power of Native peoples. While miscegenation in the colony of Virginia was defined, as early as 1691, to include Indian-white marriage, some white southerners of the eighteenth century claimed to consider unions with Indians less of a

¹⁴ Bernard W. Sheehan, *Savagism and Civility: Indians and Englishmen in Colonial Virginia* (Cambridge and New York: Cambridge University Press, 1980), 177.

¹⁵ Helen Rountree, “The Indians of Virginia: A Third Race in a Biracial State” in *Southeastern Indians Since the Removal Era*, edited by Walter L. Williams (Athens, Georgia: The University of Georgia Press, 1979), 27-28.

¹⁶ Robert S. Tilton, *Pocahontas: The Evolution of an American Narrative* (Cambridge: Cambridge University Press, 1994), 170-171.

¹⁷ Sheehan, *Savagism and Civility*, 181.

“problem” than black-white marriage. Thomas Jefferson could suggest that a lost opportunity for “intermarriage” between whites and Indians, something he contemplated only in a vague and unspecific past, meant also a lost opportunity for the easiest method of easing white-Indian conflicts (and also dispossessing Native people of their lands.)¹⁸

Lost, among whites, in these romanticized visions of southern Indian peoples was the memory of a southeastern world that, before 1492, included sites of urbanity and political centralization, and agricultural cultivation on a vast scale. Lost, too, from white public popular consciousness was a colonial-era history in which southern Native peoples had been crucial, powerful participants in international struggles for continental commerce and political dominance. Southeastern Indians were key actors in international military and economic alliances and European rivalries, in some forms of slave trading, and in a major trans-Atlantic trade network in deerskins. Fierce wars and economic dislocations ended the existence of some communities and created new ones, as southern Natives moved north and south, east and west in response to political, economic, and military needs and pressures, but southern Native peoples endured.

Against this backdrop of enormous economic and social change, Indians in the South might be enslaved, and they might also be enslavers. Native peoples sometimes engaged in the colonial slave trade. Early on, there was a significant trade in which southeastern Indians sold other Indians, generally war captives, a trade that diminished as the traffic in Africans and African Americans developed. The status and roles of Native peoples as slaves and as slaveholders could be murky. Slavery created both proximity and social distance. Before about the middle of the eighteenth century, there are reasons

¹⁸Tilton, *Pocahontas*, 24-25.

to think “there had been considerable intermarriage between Indian and black slaves” in what became the southern United States.¹⁹

The resulting legal complexities were numerous. In Virginia, for example, decades after a 1705 law, courts ruled that that law had had the effect of repealing “earlier legislation that had permitted the enslavement of Indians,” providing potential openings for slaves to contest their enslaved status if they were descended from enslaved Indians brought into the colony after 1705.²⁰ Until 1924, Virginia as a legal matter explicitly defined blackness rather than whiteness and used legal “blood-quantum” definitions of blackness, grounded in the fiction that genealogical facts of ancestry were always legally clear and ascertainable for purposes of racialized identifications. Nonetheless, in practice and in courts of law, community reputation and somatic stereotypes could also figure importantly in establishing a person’s race. In some legal contexts, Virginians acknowledged that the racialized status of ancestors could be, at some times and places, difficult to resolve. To try to simplify this complex situation, historically, white Virginians sometimes sought to deny the continued existence of Native Americans in the state, claiming that all Virginia’s Indian people, including the reservation communities, had forfeited the right to claim Native identities because (the argument went) they were really the result of unions among African- and Native Americans.

¹⁹ Walter L. Williams, “Southeastern Indians Before Removal: Prehistory, Contact, Decline” in *Southeastern Indians Since the Removal Era*, edited by Walter L. Williams (Athens, Georgia: The University of Georgia Press, 1979), 11.

²⁰ Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law--An American History* (New York and Hampshire, England: Palgrave Macmillan, 2002), 29.

As encounters of Indians with Africans and African Americans as well as Europeans produced “new” people and new communities, so did contacts among Indian groups. As there was growth in inter-tribal alliances and even pan-Indian thinking, and in connections among African Americans and Native Americans, so in the colonial and early-republic periods there was continuing development of whites’ racialized discourses and social and economic structures revolving around slavery.

Becoming well known is the story of slavery and emancipation among the five “civilized” tribes before and after their removal to Indian Territory, but the story of southeastern Indian involvement with European-style chattel slavery is broader than that. When southeastern Indians in coastal and piedmont areas retained enough power to negotiate with Anglo officials and traders as “tribes” and communities, they might at different times and places participate in the return of fugitive enslaved Africans and African Americans, and they might provide refuge to people fleeing chattel slavery. Even as the political autonomy of southeastern Indians eroded, rumors abounded among whites of isolated places in which runaway slaves took refuge among Native enclaves, places such as Virginia’s Great Dismal Swamp. Whites came to fear the possibilities of Indian-black alliances, and some contend that they took steps to create fear and suspicion between red and black southerners.²¹

At the same time, as the colonial era wore on, among some southeastern Native groups there were individuals who held African Americans as chattel slaves. European ideas about race affected southern Indians, in mixed and varied ways, reflecting both whites’ racial discourses, and older Native cultural and social patterns and newer

²¹ Sturm, *Blood Politics*, 49.

experiences with enslaved people. This is the context for the responses of Virginia Indians to the racialism of the post-Civil-War period, and the backdrop against which they constructed and maintained their identities as Indians before and after passage of Virginia's 1924 "racial integrity" law.

Surviving documentary sources for looking at those processes of identity formation often reflect the activities and attitudes of whites. This study reads existing documentation for evidence about social networks and cultural identities of organized (reservation and non-reservation) groups, and for clues about people who were geographically or socially on the margins of the organized groups but sometimes laid claim to Indianness in public. It looks at sources such as information and analyses regarding Powhatan groups collected by anthropologists James Mooney and Frank Speck, records left by Walter Plecker of the Virginia Bureau of Vital Statistics, and materials assembled by James R. Coates in response to Walter Plecker's activities.²² It also draws from Virginia's Department of Education Indian School Files, 1936-1967, and from records of the Dover Baptist Association. United States census data from selected counties (New Kent, Charles City, and King William) provided information about official racialized categorizations of certain individuals and families. Since United States census enumerators over decades used a variety of racialized terms to categorize tidewater reservation and non-reservation people, part of this project has been to identify trends and

²²James R. Coates, Records Concerning the Ancestry of Indians in Virginia, 1833-1947. Accession 31577, Library of Virginia, Richmond, Virginia 23219.

discrepancies in the ways Native Virginian individuals and families were racially identified in different censuses.²³

Local records in Virginia can be spotty because in many of the counties where tidewater Native people lived, fires and other losses in county courthouses have created gaps in 19th-century documentation. Further, records of tidewater Indian churches are generally not accessible to the public.

State government records for the early decades of the twentieth century reflect the small but growing size of some government functions as Virginia entered the Progressive Era. The Library of Virginia holds records that illuminate the passage, interpretation, and attempted enforcement of the 1924 “racial integrity” law, records that involve the state legislature, governor’s office, and Virginia’s Bureau of Vital Statistics. Among these are the annual reports of that Bureau, and the General and Miscellaneous Correspondence files of Virginia governors. The files for the administration of Elbert Lee Trinkle, who was governor when the 1924 law passed, include correspondence about that law with Walter Plecker as head of the Bureau of Vital Statistics, as well as other evidence of Plecker’s activities.

Other important sources for understanding the passage of the 1924 “Racial Integrity” law are the papers of John Powell and of Earnest Sevier Cox.²⁴ Original papers held by Plecker apparently do not survive as a body, but Plecker sent copies of much of his correspondence to his allies John Powell and Earnest Sevier Cox.

²³Helen C. Rountree, *Pocahontas’s People: The Powhatan Indians of Virginia Through Four Centuries* (Norman and London: University of Oklahoma Press, 1990), 342, 349.

²⁴Powell’s papers are in the Small Special Collections Library at the University of Virginia (No.7284 is the John Powell Collection.) These papers seem to include the most sizeable body of Walter Plecker’s surviving correspondence. Cox’s papers are in the manuscript collections at Duke University.

Some 1930s ex-slave narratives nationally offer direct testimony about Indian ancestry, like an interview with Moble Hopson of Poquoson, but in Virginia narratives that touch on Indian identities are relatively scarce compared to some other states.²⁵ Comparatively rare also are documents about people who were not part of the organized tidewater Native groups whose life histories might give insight into what it meant to carry family traditions of African American as well as Native American descent, and how such family traditions could be passed along.

Using such sources, this study examines the stories of tidewater Natives in light of the growing scholarly literature about the cultural histories of conceptions of whiteness, blackness, and redness, and about the political and social effort required to construct and re-construct conceptions of race. This includes scholarly work about the histories of connections among Native Americans and African Americans, and their shared experiences of racism. This scholarship helps counter the impression that

American Indians were so decisively outnumbered, defeated, and dispossessed in the course of American history that they have been relegated to the margins of American life and consciousness—objects of neglect or paternalism rather than fear and systematic repression.²⁶

This statement underestimates the extent to which American racist discourses fostered and sustained oppression and repression not just of African Americans but also of Native Americans on and off reservations. Racialized discourse has been central, not marginal,

²⁵Writers' Program of the Works Projects Administration in the State of Virginia, *The Negro in Virginia*, reprint ed. (Winston-Salem, North Carolina: John F. Blair, 1994), pp. 35-36; Peter Wallenstein, "Indian Foremothers: Race, Sex, Slavery and Freedom in Early National Virginia" (Paper delivered at the Annual Meeting of the Society for Historians of the Early Republic, Gettysburg, Pennsylvania, July 19, 1992), 1, 20-22.

²⁶George M. Frederickson, *The Comparative Imagination: On the History of Racism, Nationalism, and Social Movements* (Berkeley, Los Angeles, and London: Cambridge University Press, 1997), 39.

to the ways in which white Americans have engaged in continuing work to justify expulsion, dispossession, “assimilation,” and economic and political disfranchisement of Native Americans. A look at popular culture shows that American memory is haunted still by the dispossession of Indians. Whites’ constructions of hierarchies of “civilization” and “savagery” and the fears, repression, and paternalism that are integral to those hierarchies, have focused upon and encircled Native American as well as African American people.

At a more local level, even an accomplished thorough student of slavery in Virginia, Philip Schwarz, has seemed to downplay the continued existence of Native Americans in Virginia. He described mid-eighteenth-century Virginia as having “become a biracial society, a combination of dominant whites and enslaved blacks, with Native Americans nearly forgotten and free blacks living in between as ‘slaves without masters.’”²⁷ To the contrary, even where and when Virginia’s Indians lacked political and legal power, they remained culturally present, as exemplified by the place that the idea of white-Native American intermarriage occupied in the thinking of some eighteenth-century Virginians like Thomas Jefferson.²⁸

White historians long viewed the idea of “race” in America through the lens of European and European-American attitudes and power, but the history of the idea of blackness, of course, has also occupied eminent scholars who viewed this landscape from

²⁷Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1705-1865* (Baton Rouge: Louisiana State University Press, 1988), 4, 234.

²⁸See, for one discussion of Jefferson’s thinking, Robert S. Tilton’s *Pocahontas: The Evolution of an American Narrative* (Cambridge: Cambridge University Press, 1994), 25.

the “other” side of that color line.²⁹ A recent and well known wave of historical scholarship has interrogated the historical record to examine the concept of whiteness as a racialized construction.³⁰ There is also a body of historical scholarship on whites’ conceptions of Indian identities, highlighted years ago by Robert Berkhofer’s *The White Man’s Indian*, and more recently by Philip Deloria’s *Playing Indian*.³¹

Complementing extensive bodies of scholarship about blackness, whiteness, and Indianness is a growing scholarly attention to historical understanding of “hybridity” and the liminality of individuals who have crossed or transcended culturally, politically, and legally constructed racial lines. Still, there had been comparatively little scholarly focus by historians, until recent years, on interactions among Native American and African American communities and identities. Recent works by Tiya Miles, Kevin Mulroy, Gary Zellar, and Claudio Saunt examining the “five civilized tribes” address this gap, as does the scholarship of Gerald Sider and Karen Blu on the Lumbee of North Carolina, and the work of Daniel Mandell, Ann McMullen, and others on New England’s black and red peoples.³²

In some ways, these scholars are answering a challenge articulated decades ago by Jack D. Forbes’ *Africans and Native Americans: The Language of Race and the*

²⁹W. E. B DuBois’ work, such as *The Souls of Black Folk* (1903; reprint ed., New York: Dover Publications, Inc., 1994), of course, is one example.

³⁰ See, for example, Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998); Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Random House, Pantheon Books, 1998); Alexander Saxton, *The Rise and Fall of the White Republic* (London and New York: Verso, 1990).

³¹Robert Berkhofer, *The White Man’s Indian: Images of the American Indian from Columbus to the Present* (New York: Alfred A. Knopf, 1978); Philip J. Deloria, *Playing Indian* (New Haven and London: Yale University Press, 1998).

³² See, for example, Ann McMullen’s “Blood and Culture: Negotiating Race in Twentieth Century New England,” in *Confounding the Color Line: The Indian-Black Experience in North America* edited by James F. Brooks (Lincoln and London: University of Nebraska Press, 2002)

Evolution of Red-Black Peoples. In an effort to unravel the historical complexities of the usage and demographic implications of terms such as mulatto, pardo, mestizo, and mustee in a global context, Forbes argued that modern scholars should pay more attention to the precise contexts and varied meanings of terms used in historical documents to describe people as black or “colored.” He described fluidity and changes over time in the definitions of the array of words used to describe people of “mixed” ancestry, to contend that there is insufficient scholarly awareness of the degree of “mixed” African and Native American ancestry among present-day “black” peoples in the United States, and that it was in the context of the outbreak and aftermath of the Civil War that it became common to use “colored” as synonymous with “black.”³³

Works of social history that deal with individuals and communities in the American South of “mulatto” and otherwise “mixed” African- as well as Native American ancestry include broad syntheses like the work of George Frederickson, Ira Berlin’s *Slaves Without Masters* and Joel Williamson’s *New People: Miscegenation and Mulattoes in the United States*.³⁴ Williamson’s work seems at times to accept categories of blackness and mulattohood as if they had an independent verifiability and validity separate from the social and political contexts in which they were constructed and wielded. In contrast, James and Lois Horton’s *In Hope of Liberty*, in discussing “mulattoes” and people of color within free black communities in the North, showed

³³Jack D. Forbes, *Africans and Native Americans*, 257-258, 262-264.

³⁴To cite a few examples: Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South* (New York: Pantheon Books-Random House, 1974); George M. Frederickson, *White Supremacy: A Comparative Study in American and South African History* (New York and Oxford: Oxford University Press, 1981); Joel Williamson, *The Crucible of Race: Black-White Relations in the American South since Emancipation* (New York: Oxford University Press, 1984) and *New People: Miscegenation and Mulattoes in the United States* (New York: The Free Press, 1980).

how, although people of African and Indian identities, beginning in colonial times, were sometimes considered African American by whites, “Often those of Indian and African descent kept a foot in each world despite their official racial designation,” and they cite the example of Paul Cuffe.³⁵ Generally, though, the social history of black-Indian relationships and of the “mixed” people who resulted from black-Indian unions has been the subject of less scholarly scrutiny than Indian-white or black-white interactions, until relatively recently.

In exploring the histories of tidewater Native people as they invented, affirmed, and re-invented their Indianness after the Civil War, then, it is important both to recognize a history of racial formations in Virginia that stretches back to the seventeenth century to includes changing conceptions of “race” in the twentieth century, including eugenic thinking and the ferment of the post-World-War II era. Because of the need to outline that context, chapter one will broadly look at contextual frameworks for the construction of racialized identities within and among Native American communities in the American South with emphasis on the era after the Civil War. While some nineteenth-century Native groups in the South adapted to European ideas about “race” by participating in the enslavement and racialization of African Americans, others found themselves lumped with “free people of color” as white southerners took legal steps,

³⁵James Oliver Horton and Lois E. Horton, *In Hope of Liberty* (New York and Oxford: Oxford University Press, 1997), 49, 84-84, 37-39. See also *Free People of Color: Inside the African American Community* (Washington, D.C.: Smithsonian Institution Press, 1993).

especially after 1830, to disfranchise and marginalize all who could be considered non-whites.³⁶

With this background in mind, chapter two explores the political and social contexts and motivations for passage of Virginia's 1924 miscegenation law, and subsequent efforts to refine legal definitions of "race" in Virginia in 1928 and 1930. While a number of historians have written about these episodes, this chapter examines how it was that state officials came to focus on Virginia's Indians in their efforts to enforce these laws, and how Native people in tidewater Virginia reacted to that focus at the time of the legislative debates of the late 1920s and 1930. Some tidewater Native people responded in ways that supported, rather than challenged, some of basic racialized premises behind the legislation in 1924 and 1930, as organized tidewater Indian groups affirmed yet again their separation from their black neighbors.

Chapter three then moves backward in time, to explore how Native people in tidewater Virginia, before passage of Virginia's 1924 "racial integrity" law, had publicly worked to maintain, reclaim, construct and re-construct their identities as Indians. This chapter looks at how Mattaponi and Pamunkey reservation groups maintained formal, sometimes racialized, boundaries before 1924. It also examines how other tidewater groups without reservations built and re-built communities with the advent of Jim Crow. Their varied strategies included tribal organizations, separate churches and schools, and enactments of Indianness for outsider audiences in public performances (such as the

³⁶ See, for example, Lacy K. Ford, Jr., "Making the 'White Man's Country' White: Race, Slavery, and State Building in the Jacksonian South," in Michael A. Morrison and James Brewer Stewart, eds. *Race and the Early Republic: Racial Consciousness and Nation-Building in the Early Republic* (Lanham, Md.: Rowman and Littlefield Publishers, Inc., 2002), 147-149.

pageantry at the Jamestown Exposition in 1907 and annual “tribute” given to Virginia’s governor in Richmond) that embraced both pan-Indianisms and references to seventeenth-century Powhatan history. In a time when segregation and disfranchisement prevailed in Virginia, in some ways tidewater Natives managed to carve out a third racialized category in the face of immensely powerful pressure to place them on the “black” side of a color line, but they managed this at the cost of building communities that were exclusionary on racialized grounds.

Chapter four explores the investigations and interventions of ethnographers from the Smithsonian’s Bureau of American Ethnology and of Frank Speck and his students, as they played roles in creation and re-creation of Indian identities in tidewater Virginia. Those white ethnographic workers used their authority in some cases to affirm that particular tidewater groups were “really” Indian. Their work could also reflect commonly held assumptions about the importance of “blood”-- and being “full-blood”-- for Indian identities. In a southeastern context, this assumption could imply a denial of the realities of centuries of white-red-black interactions.

Chapter five focuses on the histories of tidewater Native peoples after the passage of Virginia’s 1924 miscegenation law and the 1930 state law designed to clarify further who was black or red. After 1930, tidewater Indians faced continuing scrutiny and opposition from state officials pursuing racialist and eugenic goals. They also encountered federal efforts such as the census enumeration that were also shaped by racialized notions about what it meant to be a “full-blood” Indian. Tidewater Virginia Indians in response continued segregationist strategies they had already developed.

Throughout, this project explores efforts of tidewater Native people to construct their identities as a third group in the context of continuing official and social pressures within “mainstream” southern politics and society to create and maintain “race” as a binary black-white matter. Not until the Supreme Court’s 1967 decision in *Loving v. Virginia*, the case of a husband and wife from Caroline County, Virginia, were “miscegenation” laws struck down in Virginia and across the nation. Thus, the histories of tidewater Virginia Indians illuminate the strength, longevity, and pervasiveness of white racialized belief systems, while they also tell us about how, in early twentieth-century America, groups and individuals might construct and maintain racialized or ethnicized Indian identities and communities that were an uneasy fit with the idea of a black-white “color line.”

Chapter One
**Not Black and Not White: Contexts for Constructing Native Identities in the South
from Slavery to the 1920s**

It shall hereafter be unlawful for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this act, the term 'white person' shall apply only to the person who has no trace whatsoever of any blood other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons.

from Virginia's "Act to Preserve Racial Integrity," 1924¹

The language of "blood" in this law reveals and extends a long history of racialized ideas about personal and group identities, sex, and marriage in the European-American world. Under the foundations of this 1924 Virginia law are eighteenth-century efforts to explain differences among the world's people in natural-history contexts, and nineteenth-century "scientific" racism that built upon that earlier discourse, culminating in the biologized notions of eugenics. This 1924 law's references to fractions of ancestry indicate a design and pretense that enforcement of the law would and could be grounded in verifiable, even quantifiable, genealogical and scientific "facts." Here, the word "blood" connects not only to ideas about genetics and genealogy, but also to belief systems in which "blood" connoted, especially among whites, a semi-magical inheritance of racialized "gifts." Those "gifts" constituted essentialized racial identities that linked biology and culture, to provide, as justification for unequal power relationships, some predictive, determinative descriptions and prescriptions about social status, heredity, citizenship, mental capacities and moral values.

¹ Quoted in Walter Ashby Plecker, *Eugenics in Relation to the New Family and the Law on Racial Integrity* (Richmond, Virginia: Bureau of Vital Statistics, State Board of Health, 1925), 31.

This chapter examines how this history of racialized thinking shaped the post-Civil-War world in which Virginia's 1924 "miscegenation" law developed (and in which Virginia's organized Native groups faced that law), to argue that, because of the pervasive influence of racialized belief systems over centuries, by the 1920s Virginia tidewater Indians, practically speaking, had few tools available to them in their fight to maintain and invent their Indian identities except tools that had been forged or used in the racialized belief systems of the larger society. In their efforts to establish and maintain a place for themselves that was not black and not white, tidewater Natives had only limited options for challenging the idea of race as a black-white binary.

There is some direct testimony about how limited those options were. In November of 1936, Moble Hopson, an elderly blind man in Poquoson, Virginia, spoke about the many ways in which American racialism could conflict with, and shape, daily lived experience of personal identities. To an interviewer in the Federal Writers Project program to record the memories of ex-slaves, Hopson recounted that his mother was Indian and his father was white, "...least-ways he warn't no slave even effen he was sorta dark-skinned."² Hopson explained:

Yuh wanta know why I'm put with the colored people? Sure, ah got white skin, leastwise was white las time ah seed et. Well, ah ain't white and ah ain't black, leastwise not so fur as ah know. 'Twas the war done that. Fo de war dere warn't no question come up 'bout et. Ain't been no schools 'round here tuh bothuh 'bout. Blacks work in de fields, an' de whites own de fields. Dis land here been owned by de Hopson's since de fust Hopson cum here.... Ustuh go tuh de church school wid ole Shep Brown's chillun, sat on de same bench, ah did.

But de war changed all dat. Arter de soljers come back home, it was diff'runt. First dey say dat all whut ain't white is black. An den dey tell de Injuns yuh kain't marry no more whites. An' den dey tell usen dat we kain't cum no

²There are many reasons to question the uses of "dialect" in these Federal Writers Project narratives, but here the text is reproduced as it was printed by the Writers Project.

more tuh church school. An dey won't let us do no bisness wid de whites, so we is th'own in wid de blacks.

Some uh our people move away, but dey warn't no use uh movin' cause ah hear tell et be de same ev'y wheer. So perty soon et come time tuh marry, an' dey ain't no white woman fo' me tuh marry so ah marries uh black woman. An' dat make me black, ah 'spose 'cause ah ben livin' black ev'y sence.³

Hopson thus explained how, in the South, the conception of race as a black-white duality, powerful as it was and is, required unremitting work by white people to construct, maintain, and enforce. He pointed out that racialized identities developed in response to specific political and economic events, needs and circumstances. If before the Civil War land ownership was a marker of a certain racialized status for a person like Hopson, then after emancipation, the development of institutional and economic segregation changed how the color line was drawn, for Hopson and others. Hopson said he was neither black nor white, but was “living black.” In effect, he asserted that Virginia’s legal definitions of blackness and whiteness were historically constructed rather than immutable and “natural.” In practice, efforts to pin down the “blood quantum” of individuals could be legally and socially difficult. As Moble Hopson remarked, appearance and the people with whom one lived and associated were also powerful markers of racialized lines. (Perhaps a reflection of these ambiguities is the fact that Hopson, whose account suggests he was not enslaved, was interviewed as part of this New Deal program to collect the memories of ex-slaves.)

Whites have often historically “justified” and explained “race” in America as if it were a natural, self-evident concept with unquestioned and unquestionable explanatory

³ Moble Hopson interview, in *Weevils in the Wheat: Interviews with Virginia Ex-Slaves*, edited by Charles L. Perdue, Jr., Thomas E. Barden, and Robert K. Phillips (Charlottesville: University Press of Virginia, 1976, 4th printing 1999), 143, 146.

and integrative powers. For Native people of the Southeast, though, “race” as a belief system and set of categories for human beings is both a powerful historical phenomenon and a bad fit for describing many southern situations and peoples, given centuries of “race mixing.” Examples of times and places in which Native people might be liminal figures threatening to that belief system, and examples of other settings in which American Indians acted in ways that bolstered that system, are the subject of this chapter.

In Virginia, faced with the “color line,” people with Native ancestors might construct Native identities in public, or in private, or shed the memory of Indian identity. In speaking to the Federal Writers Project interviewer, Moble Hopson called himself not black, but not white, and yet he did not explicitly say he was Indian, either. This chapter places his experience and the official apparatus represented by the 1924 “racial integrity” law in some relevant contexts, at the intersections of the history of formations of racialized conceptions of blackness, whiteness, and Indianness in post-Civil War America.

Among the fundamental issues in constructing race, as Hopson pointed out, are sex and marriage. “Miscegenation” laws were widespread across the United States in 1924, not just in the South, and in some states they applied to racialized groups other than African Americans.⁴ Frequently, these laws accompanied other restrictions on full citizenship of the targeted groups. As Peter Wallenstein has pointed out, most states in the United States, at one time or another, have had laws restricting “interracial” marriage.

⁴The word “miscegenation” itself was relatively new, though; it was coined by a pair of journalists as part of a ploy they developed to try to create headaches for Lincoln during the election campaign of 1864. These two tricksters hoped to elicit statements from abolitionists that they could then use to paint Lincoln’s camp as friendly to “interracial” sex and marriage, which was often then called by names like “amalgamation.”

Massachusetts' "miscegenation" law, for example, lasted until 1843. Following the Civil War, these laws over time became an integral part of the southern regime of racialized segregation, though not all states of the former Confederacy acted at the same time, after the war, to renew definitions of, and prohibitions on, "miscegenation."⁵

The "miscegenation" regime in America was, though, widespread and national in scope, not just a southern phenomenon. California's "miscegenation" law remained in effect until 1948, when it was struck down in state court. These "miscegenation" laws, as enacted and refined over centuries, varied in their targets and in their definitions of what constituted "interracial" unions. For example, in the 1930s, California, Arizona, Maryland, and Utah in effect made marriages of men from the Philippines to white women illegal, by including the "Malay" race" in their miscegenation statutes.⁶ In the post-World-War II era, following the 1948 California court's decision in *Perez v. Sharp*, the phenomenon of miscegenation law slowly diminished nationally, even as it remained prevalent in the South. Still, even in 1958, seven states outside the South had laws on the books against "interracial" marriage.⁷

Native Americans in Virginia got caught in this legal maze just as did other racialized categories of people in other states. In Oklahoma, for example, the legislature shortly after statehood established a "miscegenation" law that in one sense imposed a mirror opposite of the 1924 rule in Virginia. In keeping with conceptions of "white" and "black" in the new state's constitution, Oklahoma provided in effect that if one was not

⁵ Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law--An American History* (New York and Hampshire, England: Palgrave Macmillan, 2002), 2-3, 80.145.

⁶ Peter Wallenstein, *Tell the Court I Love My Wife*, 2-3, 145.

⁷ *Ibid.*, 2

black, one was white for purposes of “miscegenation” law-- and it situated Indians on the not-black side of Oklahoma’s color line. In Virginia, in contrast, the 1924 legal standards for miscegenation reinforced a history of efforts to place Native Americans on the “black” side of a color line (unless one could meet the “one-sixteenth” standard in the law, a standard now sometimes called jocularly the “Pocahontas exception”). Whereas there were some cases in eighteenth-century Virginia in which enslaved Virginians sought their freedom in the courts on basis of having Indian forebears, after 1924 opportunities in Virginia to claim to be Indian, not black and not white, were even more problematic than ever.⁸

Virginia’s 1924 “racial integrity” law represents a particularly strenuous official effort to buttress the concept of race as a black-white color line. Judging from the language in that 1924 law, Native Americans as a third “race” raised specific concerns for the bill’s promoters and Virginia’s legislators. This was true partly because some legislators felt a need to acknowledge elite white families who proudly claimed descent from Pocahontas. It was also true partly because at that time, reservation and organized non-reservation Native American groups in Virginia had been engaged for years in publicly building and rebuilding communities and identities for themselves in the face of Jim Crow restrictions. Thus, in 1924, Indians in Virginia could not be ignored by legislators seeking to define whiteness. At a moment when the “racial integrity” law reinforced, legally, the notion of race as a black-white binary system, legislators and state officials faced people who could claim to be neither black nor white, as Indians or people of “mixed” Native ancestry. This history of state-sponsored interventions and

⁸ *Ibid.*, 29-30.

prohibitions, and of the actions and reactions, accommodations and resistance of Native and “mixed” people who were among its targets, illuminates processes by which individuals and groups could form, re-form, maintain, shift, and transform social and cultural identities, to occupy a space that was at least potentially a challenge to Jim Crow and to eugenic thinking in the progressive-era South.

The stories of Virginia Indians after the Civil War and in the early twentieth century show how unstable conceptions of “whiteness” and “blackness” could be, even in the 1920s when the varied forms of segregation and eugenic thought were so potent and powerful throughout the United States. That power appeared in the 1924 law in which the United States Congress authorized establishment of yet more exclusive quotas for immigration, passing a law that was advocated and applauded by supporters of eugenics. Eugenic thinking also informed a 1924 Virginia law about involuntary sterilization of “defectives” in state institutional custody, a law contested but affirmed in the famed *Buck v. Bell* case. Many eugenicists in the United States were more concerned about restricting immigration from southern and eastern Europe, and about programs for “eugenic sterilization” or institutional segregation (and sometimes also restrictions on marriage) for the “feeble-minded” and eugenically “unfit,” than they were about black-white “miscegenation.” As Dan Kevles put it, in the United States between about 1900 and 1930, “...the biological distinctions that mainly obsessed eugenicists were not those between whites and blacks but those then believed to divide whites.”⁹

⁹ Dan Kevles, *In the Name of Eugenics: Genetics and the Uses of Human Heredity* (Cambridge, Mass., and London: Harvard University Press, 1995, originally published 1985 by Alfred A. Knopf), xi.

In contrast, Virginia's miscegenation law of 1924 was promoted by white Virginians who were most concerned about the black-white divide, who used popular eugenic rhetoric to explain and justify their campaign against African American "blood," and who reached out to nationally prominent eugenicists for support with some success. In 1924 and again in 1930, when the state of Virginia passed laws to re-define who would be considered legally white and who African American, it was primarily with the intent to define whiteness in ever more restrictive ways, and to ban whites from entering "interracial" marriages, based in eugenic thinking. Definitions of Indianness inevitably became involved, though. The 1924 and 1930 laws codified legally, for the first time in Virginia, a "one drop" notion of what made someone black. Backers of these laws also struggled to pin down what might make a Virginian legally Native American.¹⁰ The result was a shift in Virginia law from a blood-quantum definition of blackness to a legal definition of whiteness as "no trace whatever of any blood other than Caucasian." The laws in effect eliminated "blood-quantum" measures for blackness and whiteness, but retained them for Indians, with the exception that legal "whiteness" could be compatible with a limited amount ("one-sixteenth" as the 1924 law put it) of Indian ancestry.¹¹

Walter Ashby Plecker of Virginia's Bureau of Vital Statistics and other advocates of the "racial integrity" legislation in Virginia drew rationales for their activities from popular eugenicist thinking of that period, and from older racist thinking. Backers of the 1924 and 1930 laws added a veneer of "scientific," eugenically-oriented rhetoric to

¹⁰ Richard B. Sherman, in " 'The Last Stand:' The Fight for Racial Integrity in Virginia in the 1920s," *The Journal of Southern History* 54 (1988) provides an overview of both laws.

¹¹ Helen C. Rountree, *Pocahontas's People: The Powhatan Indians of Virginia through Four Centuries* (Norman and London: University of Oklahoma Press, 1990), 221-222. Richard B. Sherman, " 'The Last Stand:' The Fight for Racial Integrity in Virginia in the 1920s," 77-79.

Virginia's systems for racialized and legalized segregation, coercion and "deference." Following the passage of the 1924 law, as the head of the state Bureau of Vital Statistics, Plecker led a focused official campaign to ensure that Virginians (with the possible exception of those who were part of the reservation communities) would not erase or cross the black-white "color line" by declaring themselves Indian.¹²

The 1924 law and its consequences unfolded from a complex history of constructions and re-constructions of racialized identities in the United States. African Americans, Native Americans, and European Americans in the southern United States have centuries-long histories of living and working together, having children together, and sharing cultural wealth—even as legal, economic, social and political barriers were also integral to those histories. American Indian experiences and systems for forming and re-forming identities and communities are dizzying in their variety and complexity, but it seems likely that for many Native groups, community participation, and living according to community ways, were key factors that could cement group membership even in the absence of genealogical ties. Clan membership, for example, which among some Native people derives from the clan of the mother, could be the key factor in belonging to a Native group, rather than genealogy as whites understood it.

Over years, European notions of kinship as "blood" ancestry, and developing European-American ideas about "race," were things that Native Americans might adapt, adopt, and contest in response to specific experiences, pressures and circumstances.

European-Americans, and the economic systems that they brought to the hemisphere,

¹² Chapter two will describe this, based upon Plecker's papers in the papers of John Powell at the University of Virginia. For a summary of Plecker's actions see Helen Rountree, *Pocahontas's People*, 219-225.

exerted pressures that, generally and over the long haul, eroded matrilineal systems and introduced “race” as a factor in Native cultural and social systems. At the various times of initial “contact,” though, European ideas about “blood” and “race,” were probably inconsistent or directly counter to some of the basic social constructions of many Native American cultures.

Native peoples at some times and places did come to accept, modify, or acquiesce in European-American ideas about race and about the place of African Americans in the white society’s racialized belief systems. Still, the anthropologist Melville Herskovits reckoned years ago that significant numbers of African Americans claim some Native American ancestry.¹³ Like Mable Hopson, they might “live black” but the memory of centuries of life with Native peoples remained.

The independence and fluidity of southeastern Indians’ situations, including their range of options for dealing with white racialism, may be interpreted as diminishing, in major ways, as Anglo-Americans consolidated political power and continued their encroachments on lands throughout the Southeast. The story of those who left the Southeast for Indian Territory and those who did not, played out against the development of “scientific” racism in the United States. As Eleazar Barkan put it,

During the nineteenth century scientists reified the concept of race and endowed it with explanatory powers beyond its initial taxonomic purpose. In the first half of the century, polygenism became popular and the perceived distinctions among races sharply widened.¹⁴

¹³ Joel Williamson, in *New People: Miscegenation and Mulattoes in the United States* (New York: The Free Press, Macmillan Publishing Co. Inc., 1980), p. 125, among other scholars, has noted Herskovits’ work.

¹⁴ Eleazar Barkan, *The Retreat of Scientific Racism: Changing Concepts of Race in Britain and the United States Between the World Wars* (Cambridge and New York: Cambridge University Press, 1992), 15.

Bruce Dain described some of the prevailing thinking among whites this way: “From the Revolution to the Civil War Americans first made race intensely real by making it natural in a new way.” He acknowledged that “a sharp distinction between nineteenth-century biology and eighteenth century natural history is not tenable.” Still, he argued that this early-nineteenth century rationalization of the language of race was new, for “no race theory, no systematic attempts to define race, existed in America until after the American Revolution.” By the mid-nineteenth century, the systematization of racialized categories and ideologies was well established, and it entailed the idea that, in the realm of nature and science, including race, questions of humanistic sympathies and sentiment had to be set aside.¹⁵ This notion that “science” required harsh measures that might ruin individual lives for the “greater good” would echo in the eugenic arguments of the advocates of the 1924 “racial integrity” law.

This new vision of racialized differences could be used, among other things, to explain and justify increasing pressures on all free persons of color. The consequences for southeastern Native peoples were serious. In North Carolina, for example, in 1835 free persons of color were disfranchised, losing, for example, legal rights to vote and to sit on juries. The group now known as Lumbee people were included in that category of “free person of color.” Karen Blu suggested that this ban echoed in other social realms in North Carolina: before that, whites and Indians in the state might attend the same churches and sometimes the same schools.¹⁶

¹⁵ Bruce Dain, *A Hideous Monster of the Mind: American Race Theory in the Early Republic* (Cambridge, Mass. And London: Harvard University Press, 2002), vii, ix, 203.

¹⁶ Karen Blu, *The Lumbee People: The Making of an American Indian People* (Cambridge, London, and New York: Cambridge University Press, 1980), 65, 73, 81. See also Lacy K. Ford, Jr., “Making the

In the popular imagination of whites, perhaps the most famous (or infamous) example of Native dispossession in this era of white expansion and scientific racism is the “removal” of the so-called “five civilized tribes” west of the Mississippi. The removals took place as European-style chattel slavery increasingly became entrenched as one part of Creek, Cherokee, Choctaw and Chickasaw social relations and economic life in the antebellum era, a process seemingly accompanied by their acceptance of white ideas about racial “difference.” Today, perhaps the most dramatic and well-known cases bringing the intersection of African American and Native American identities to mainstream popular attention have been the complicated histories of the descendants of free blacks and emancipated “freedmen” who live among the “five civilized tribes” to this day. Theda Purdue has contended that white racialism was “foreign to Native cultural traditions,” and that

The Creeks accepted Africans into their society because traditionally Creeks had no concept of race. Kinship, not physical features, distinguished one Creek individual from another, and the Africans whom Indians incorporated had matrilineal ties to Creek clans through birth or adoption.

She acknowledged that over time southern Indians historically “began to adopt the racial attitudes of Europeans” and that “Changing racial views led Native people increasingly to distance themselves from African Americans and to regard foreigners with black skins to be more suitable as slaves than as adoptive relatives.”¹⁷

‘White Man’s Country’ White: Race, Slavery, and State Building in the Jacksonian South,” in Michael A. Morrison and James Brewer Stewart, eds. *Race and the Early Republic: Racial Consciousness and Nation-Building in the Early Republic* (Lanham, Md.: Rowman and Littlefield Publishers, Inc., 2002), 147-149.

¹⁷ Theda Purdue, *Mixed-Blood Indians: Racial Construction in the Early South* (Athens, Georgia and London: University of Georgia Press, 2003), x, 4-5.

Cherokee experiences are another complex example of black-Indian relationships. The background for understanding the conflicts involved when Cherokee freedmen were emancipated is important. Gradually, between about 1808 and the removal era, at least one scholar has contended, “For the first time, Cherokees also came to believe that their national identity rested on a distinct racial identity” as well as upon their distinct history, language, culture and homelands. “Turning the Euroamerican racial ideologies of the day to their advantage, Cherokees became romantic nationalists with a developed sense of racial identity in the early decades of the nineteenth century.”¹⁸ As European-style chattel slavery was becoming embedded within tribal practice, Cherokees codified this new racialized sense, enacting measures declaring unlawful “intermarriages between negro slaves, and Indians, or whites...” in 1824. This restriction was later broadened to include marriage between “a free male or female citizen and any slave or person of color.”¹⁹ Tiya Miles has pointed out that, even at time when Africans and African Americans could become members of Cherokee clans by adoption or by having a Cherokee mother, “being an African slave and a Cherokee clan member simultaneously was unheard of.”²⁰

Removal to the Indian Territory made the situation between black and non-Black Cherokee people probably even more tense, though racialized distinctions had taken hold even before the removals.²¹ Circe Sturm has argued that among Cherokees, the ante-bellum era was a time when two “competing” conceptions of race took root, as new

¹⁸ Sturm, *Blood Politics: Race, Culture, and Identity in the Cherokee of Oklahoma* (Berkeley, Los Angeles and London: University of California Press, 2002), 52.

¹⁹ Sturm, *Blood Politics*, 54, 70-71.

²⁰ Tiya Miles, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley, Los Angeles and London: University of California Press, 2005), 51.

²¹ Miles, *Ties That Bind*, 153, 157, 160.

forms of national political organization emerged. One was the idea of race (and racialized rhetoric about blood and kinship) as the foundation of an integrated Cherokee nation. The other drew more directly from European scientific racialism and emphasized “blood quantum” as a measure of individual “Cherokee-ness.” After the Civil War, the Cherokee nation argued about citizenship “by blood” and about the rights of Cherokee freedmen (rights affirmed under an 1866 treaty), at a point when tribal membership was clearly linked to the control and distribution of material tribal assets, such as land. As this argument worked out, Sturm has contended, ultimately the federal government promoted the “blood quantum” vision of race in the second half of the nineteenth century in ways that had the effect of further diminishing Cherokee autonomy and, generally, reducing the size of the federal financial responsibilities under treaty obligations to tribes.²² For Virginia Indians, there were no federal treaty obligations at stake, but the example of the Cherokee illuminates how racialized thinking could play a role in constructions of Native identities to exclude African Americans with close ties to a Native group.

Slaveholding interests among the Creek and Cherokee opened the door to adoption of whites’ notions about “race,” and to tribal governance that adopted aspects of prevailing white practices regulating the place of African Americans in society and the economy.²³ Building on this foundation, after emancipation tribal politics could put in jeopardy the welfare and identities of the descendants of enslaved and free blacks in

²² Sturm, *Blood Politics*, 53, 76-77, 79.

²³ See, for example, Claudio Saunt, *Black, White, and Indian: Race and the Unmaking of an American Family* (Oxford and New York: Oxford University Press, 2005) and Tiya Miles, *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley, Los Angeles, and London: University of California Press, 2005), for stories about family ties that broke as a result of this process, in the wake of emancipation.

Creek and Cherokee communities. Illustrative of the complexities of the post-
emancipation age are the ways in which the notion of a black-white color line helped
shape the State of Oklahoma's law from the time Oklahoma became a state. Soon after
statehood, whites in Oklahoma took steps to differentiate African Americans from other
Oklahomans, red and white, as exemplified in a new miscegenation law. As Sarah
Deutsch puts it (even though there were many black, as well as Indian, landowners in
Oklahoma at that time), to do otherwise-- to place the state's Indian people on the
"colored" side of a black-white color line-- would have raised the possibility that "whites
could not only alienate large groups of Indian voters who knew quite well the status
blacks held in white eyes, but whites could also shoot themselves in the foot in terms of
access to [Indian] land through marriage."²⁴ The long, tangled histories of African-
descended people among the "five civilized tribes" contrast with the situation in Virginia
in the early twentieth century, then, in ways that reflect the relatively less influential
status of Indian Virginians, in terms of their numbers and control of land.

Just as not everyone in those five "tribes" went west, so other Native peoples
remained in parts of the Southeast, as in the case of people now known as Lumbees and
Tuscaroras in eastern North Carolina. They exemplify how some southeastern Native
people found niches in relatively isolated areas, participating marginally in the larger
economy surrounding them, mostly through farming. Some of these people,
undoubtedly, lost the desire to continue to claim Native identities either as families, as

²⁴ Sarah Deutsch, "Being American in Boley, Oklahoma," in *Beyond Black and White: Race, Ethnicity, and Gender in the U.S. South and Southwest* edited by Stephanie Cole and Alison M. Parker (College Station, Texas: Texas A. & M. University Press for the University of Texas at Arlington, 2004), 105.

individuals, or as communities, and lived as southern blacks or whites. Others, Gerald Sider argues, looked “settled,” and spoke English, but their strategy was

not simply acculturation but the framework for *social* isolation—for being left alone, for being seen as neither Black nor Indian nor, in some profoundly ambiguous ways- White-- an isolation revealed by the long-lasting continuing separateness of many of these peoples, who have endured as distinct groups until the present.

It was a relatively successful strategy. The whole coastal plain and eastern piedmont, from New Jersey southward to northern Florida and westward around the southern end of the Appalachians, is dotted with these semi-separate, semi-isolated groups, semi-hidden by their social and cultural quietness to all but local eyes. The Lumbee, in the most favorable location for this adaptation, are but the most populous representatives of this general social form.²⁵

Certainly, being black in an Indian community, or being a black Indian or an Indian black, in the South made such “isolation” harder to find and maintain, as the aftermath of the Civil War brought a whole new set of social, political, and economic challenges and Jim Crow developed in its varied forms in the wake of Reconstruction. This was true even for Native groups among whom, unlike the Cherokee, Creek, Choctaw, and Chickasaw, slaveholding had not been a cornerstone of a community’s economic life. For example, there are reasons to think that among the Lumbee people of North Carolina, after the Civil War and as Jim Crow took hold, “previously open and friendly relationships between Lumbees and their African American neighbors became much more tense” (though the 1835 law disfranchising people of color mentioned above probably also created pressures and strain). Gerald Sider describes alliances of Lumbee people and blacks that peaked between 1864 and 1884, but deteriorated by 1888.²⁶ This

²⁵ Gerald Sider, *Living Indian Histories: Lumbee and Tuscarora People in North Carolina* (Chapel Hill and London: The University of North Carolina Press, 2003), 243.

²⁶ Laura L. Lovett, “African and Cherokee by Choice: Race and Resistance under Legalized Segregation,” in *Confounding the Color Line: The Indian-Black Experience in North America* edited by James F. Brooks

deterioration, situated in the context of general patterns of racialized injustice in the post-Reconstruction South, came in the wake of 1885 legislation by which North Carolina formally recognized as Indians the group now known as Lumbee, and provided legal foundation for them to have their own, Indian, schools separate from those for black and white children. Karen Blu says that "... for many years, [Lumbee] Indians have refused to marry Blacks (those who do are ostracized from the Indian community) or to attend Black schools" because they saw how such associations might encourage whites bent on treating Lumbees exactly as they treated African Americans.²⁷

The Catawba, like the Lumbee, have a history that shows how the racialized regime of the South infected Native-black interactions before and after the Civil War.

James Merrell contended that in the earlier decades of contact,

Catawbas apparently viewed the world through cultural rather than racial lenses, using themselves as a yardstick for judging alien peoples. None measured up.... At the same time, however, if an individual was willing to accept Catawba ways, the natives could be friendly indeed.²⁸

After about 1700, Catawba contacts with Africans and African Americans included both exchanges involved in the deerskin trade with colonial Virginia and South Carolina, and the use by English colonials of black men in warfare against Indians. Merrell suggests that in such contacts, European and African intruders, in Catawba eyes, could have appeared quite similar. Catawba people might turn escaped slaves over to the British, and they might also adopt and protect fleeing African Americans. Merrell's analysis is

(Lincoln and London: University of Nebraska Press, 2002), 222. Gerald Sider, *Living Indian Histories: Lumbee and Tuscarora People in North Carolina*, 90.

²⁷ Karen Blu, *The Lumbee People: The Making of an American Indian People* (Cambridge, London, and New York: Cambridge University Press, 1980), 124.

²⁸ James H. Merrell, "The Racial Education of the Catawba Indians," *The Journal of Southern History* 50, no. 3 (1984), 365-366. (See also Merrell's *The Indians' New World*.)

that among the Catawba “Where once relations with blacks fluctuated widely between intimate friendship and bitter hostility, in the decades after 1800 the Indians’ attitude and their behavior moved steadily toward the latter extreme.” Whereas in the early nineteenth century there were some Catawba-black marriages, by around the turn of the twentieth century white observers reported that Catawba people had little contact with their black neighbors. “As recently as 1981 informants on the reservation called avoidance of and contempt for blacks ‘a Catawba tradition.’ ” As with some organized Virginia Indians, as the nineteenth century wore on, Catawba people manifested the effects of generations of experience with the racist structures of the larger, dominant, society and the ever-present threat of white efforts to meld Indian and black identities.²⁹

In the wake of general emancipation, issues of racial definitions and miscegenation took on a new kind of urgency as legal matters, but the twists and turns were many. In Louisiana, for example, the state’s supreme court had ruled in 1810 that “American Indians were persons of color” and, as such, could not marry whites. In the 1870 revision of the state’s civil code, the state did not include anti-miscegenation provisions. Then, in 1894, “inter-racial” marriage again became illegal in Louisiana, at which point Indians remained “persons of color” within the legal lines drawn to define miscegenation. In 1920, a law declared “the union of an Indian and a person of the ‘colored or black’ race as miscegenetic.” Later, Louisiana’s attorney general opined that “marriage between white persons and Indians was not prohibited in Louisiana.”³⁰

Virginia Dominguez has pointed out that today, as in many other parts of the South, there

²⁹ *Ibid.*, 367, 371-72, 373, 375, 374

³⁰ Virginia Domínguez, *White By Definition: Social Classification in Creole Louisiana* (New Brunswick, New Jersey: Rutgers University Press, 1986, paperback printing 1994), 26, 28, 34.

are in Louisiana many “special groups” who “usually call themselves Indians and deny any African ancestry,” and some Louisianans who could be labeled “colored Creoles” call themselves Indian instead.³¹ In Virginia, where there is no tradition of “Creole” identities, choices for claiming an identity other than black or white were more limited.

Even for federally recognized tribes, and for those who seek federal recognition, this history of miscegenation law and other forms of Jim Crow is part of the legacy that can make efforts to identify who is Indian, and who is not, a very thorny issue to this day. The legal relationships of federally recognized tribes to the federal government add layers of complexity. One writer has suggested that “Indians are largely absent from recent scholarly literature on the evolution of American racial categories, probably because scholars know that Indians are the subjects of an exceptional body of law.”³²

Partly because of this thicket of treaty obligations and the government-to-government relationship of the federal to the tribal governments, many scholars have noted that Native Americans today, more than other racialized and ethnicized groups in America, face pressures to “prove” their identities as Indians in ways that other groups in America do not. This problem reflects competition for land and sometimes other economic resources involved in the complex relationships of the federal government with federally recognized tribes. It also more generally reflects white perceptions that for Native American identities, questions of full or part “blood” and stereotypes of “Indian”

³¹ Domínguez, *White By Definition*, 204.

³² Alexandra Harmon, “Tribal Enrollment Councils: Lessons on Law and Indian Identity,” *Western Historical Quarterly* 32 (2001): 176.

physical appearance are crucial.³³ Following centuries of dispossession and displacement, including the federal programs of the 1950s to place more Indians in urban areas, Native peoples may indeed be seen as very “mixed,” and not only because of marriages across tribal lines. Just as the history of African- and Native- American unions and marriages goes back centuries, in recent history, rates of marriage of Indians to non-Indians are high compared to out-marriage by other ethnicized groups of Americans.

Nationally, the history of blood-quantum ideas and rules has intersected in varied ways with the rights of federally recognized Native groups to determine their own membership. That fundamental responsibility has remained important as federally-recognized tribes continue to assert their right and responsibilities to define themselves, as part of what constitutes tribal sovereignty. Historically, courts and federal officials have also asserted that the federal government has a role in determining who is a member of a federally recognized tribe. Such outsider legal actors have exerted influence and pressures in a variety of ways, including setting forth general ground rules (sometimes difficult to administer) for tribal membership. The compilation of tribal rolls was often prompted when tribes faced processes of allotment of reservation lands to individuals-- that is, dividing land up to place them out side of tribal ownership-- as, for example, under the authority of the General Allotment (Dawes) Act of 1887. That well-known law was a key part of the array of federal policies designed to “assimilate” Native peoples to white economic ways, policies that had the effect of dispossessing federally-recognized tribes of vast acreages of reservation lands while also emphasizing “blood quantum” rules

³³ See, for example, Circe Sturm, *Blood Politics*, pages 2-3 for a discussion about how such pressures can play out within tribal decision-making processes about membership.

for tribal enrollment. Federal programs for “assimilation” and dispossession thus were intimately connected with ways of drawing racialized “blood” lines around Indianness for people who did retain tribal membership.

Some Native Americans have accepted the idea of “blood” and “blood quantum” as ways to demarcate reservation communities and tribal members. For some Native Americans, this is a function of political and practical needs to stave off assimilative pressures of the larger society and to preserve economic bases for tribal and community life. Other Native Americans may accept ideas prevalent in the larger society and culture about “blood” as an essentialized inheritance that conveys social and cultural belonging, as well as genetic matter. Still others, though, critique the racialized underpinnings of the idea of Indian “blood.” The satirical writings of Gerald Vizenor, for example, include a figure who stakes a claim

to be recognized as a mixedblood tribal person, claiming that his great grandmother was a pure Indian princess, or something, and she was so powerful she even had slaves... well she fooled around with one of those slaves, and here stands me, a mixedblood tribal black with a smooth tongue, brother.³⁴

Here, let us look at one example that suggests the fluidities and contradictions of assembling tribal rolls, and how “blood quantum” ideas could be tempered by other yardsticks for determining tribal memberships and identities. Alexandra Harmon looked at the process of creating tribal membership rolls on the Colville reservation in Washington State, to show that federally-sanctioned processes for determining legal lists of tribal members could entail negotiation and compromise, mixed outcomes, and bureaucratic confusions, and that federal officials of necessity at times had to accept and

³⁴ Gerald Vizenor, *Earthdivers: Tribal Narratives on Mixed Descent* (Minneapolis: University of Minnesota Press, 1981), 14.

rely upon tribal and community knowledge and involvement. She showed that even though federal officials emphasized the determinative nature of “blood” and “degree of Indian ancestry” in determining tribal membership and could exert considerable power in that process, still, in some places, participation in community life—“actual tribal relations” and residence-- were also major factors in membership decisions. Some federal officials fostered racialization of Native identities in these processes and focused on genealogical and financial concerns. Some Colville people endorsed the idea that only those of enough Indian “blood” should be on the rolls. Nonetheless, Harmon argued that, at Colville, tribal roll-making in the end was the result of “dialogues in which Indians partly yielded to and partly gave their own meanings to U.S. law.” For some Colville people involved in early efforts to establish membership, “the issue was not race but culture and loyalty; and ‘Indian blood’ connoted not so much a quantifiable biological heritage, essential for Indian identity, as a conscious and sincere affiliation with indigenous people.”³⁵

Nonetheless, “blood quantum” remains perhaps the single most common means of defining membership in federally-recognized tribes. No other groups in the United States have an equivalent to the official legal “Certificate of Degree of Indian Blood” as a means of defining membership or belonging.

To explore the effects of implementing Virginia’s 1924 miscegenation law means placing that story in the context of this long history of the intersections of racialized formations and federal, as well as State, interventions. The idea of blood quantum

³⁵ Alexandra Harmon , “Tribal Enrollment Councils: Lessons on Law and Indian Identity,” *Western Historical Quarterly* 32 (2001): 178, 190-193.

extends beyond federal recognition, and into the realm of “race” as a concept. Years ago, Walter Williams wrote that “The major problem for all southern Indians of the last century and a third has been to define their ethnic status as a third group with a biracial society.”³⁶ As Virginia Domínguez noted in her study of Creole identities in Louisiana, “Individuals cross boundaries that they do not individually create. Individuals manipulate criteria of classification in order to change their individual identities according to those criteria.”³⁷

Both of these observations seem particularly apt for Indians in the southern United States who have worked to establish, define, and re-invent Indian identities in a context where definitions of blackness and whiteness remained central and fundamental to the overall contours of the political, economic, and social landscape. As Nancy Hewitt has pointed out, there is a rich literature

exploring social groups and historical developments that cut across or contested a biracial system.... Yet with few exceptions... this work has focused on the West or the Northeast, leaving the South as the first and last bastion of biracialism.³⁸

If there is a general tendency among whites to assume (or wish) that in the South “blackness” and “whiteness” have been relatively stable categories in a biracial world, there has also been a tendency to assume that definitions of Indianness are similarly straightforward and visibly apparent. The roles of the federal government in recognizing tribes and its influence in fixing tribal memberships can add to this illusion. Thus, Indians in the Southeast face two related manifestations of “blood quantum” thinking: the ideas

³⁶ Walter L. Williams, in his Preface to *Southeastern Indians Since the Removal Era*, edited by Walter L. Williams (Athens, Georgia: The University of Georgia Press, 1979), xv.

³⁷ Domínguez, *White By Definition*, xiv.

³⁸ Nancy A. Hewitt, “Introduction,” in *Beyond Black and White: Race, Ethnicity, and Gender in the U.S. South and Southwest*, edited by Stephanie Cole and Alison M. Parker (College Station, Texas: Texas A. & M. University Press for the University of Texas at Arlington, 2004), xi.

about “blood” behind Jim Crow, and the notions about “blood” often applied on reservations to questions about Native identities and tribal membership. The combination of these assumptions made it doubly difficult for non-reservation Indians to build a third place in the southern racialized black-white binary systems.

Even in the South, though, some groups in some places have managed to carve out positions for themselves that while not exactly “white” were not black, either. For example, Stephanie Cole argues that in early twentieth-century Dallas, white native-born Dallasites’ obsession with blackness created interstices for nonblack immigrants and people of color—Mexican Americans, Asian immigrants, Russian Jews, and others—to claim privileges not offered in other locales” while at the same time such “nonblack” groups were “tainted with a sense of ‘otherness’ quite similar to that attributed to African Americans. In other words, the flexibility of white racial identity worked both for and against them.”³⁹ This kind of flexibility was precisely what the advocates of Virginia’s 1924 “racial integrity” act wanted to prevent. Perhaps the fact that Virginia did not see large numbers of immigrants in the late nineteenth and early twentieth centuries helps explain how in Virginia, compared to Dallas, many whites occupied themselves so vigorously to eliminate “interstices.”

Anyone who assumes that by the twentieth century there were no “real” Indians in the American South may find it surprising that American Indian “blood” figured prominently in the texts of Virginia’s 1924 and 1930 laws redefining black and white identities. They may find it even more surprising that in the wake of the 1924 law’s

³⁹ Stephanie Cole, “Finding Race in Turn-of-the-Century Dallas,” in *Beyond Black and White: Race, Ethnicity, and Gender in the U.S. South and Southwest*, 77.

passage, Native people in Virginia were among those targeted by state officials zealously committed to its enforcement. It would be easy to assume that in Virginia all the work to construct race as a single black-white divide had been so overwhelmingly successful by the end of the 19th century that there was no room for any categories other than “black” and “white,” let alone space for “Indians.” As Matthew Frye Jacobson has remarked, in the post-Civil-War South, politicians and others made use of a “heightened, self-conscious diction of Caucasian identity and supremacy.”⁴⁰

In Virginia, that “diction” could be challenged, quietly subverted, or accepted by people who considered themselves Indians or maintained traditions of Indian “descent.” Virginia officials intent on enforcement of a “color line” in a modernizing bureaucracy in the Jim Crow 1920s were in conflict with Native and “mixed” people who established identities, and sometimes institutions, that countered the goals of those state actors. The stakes were high, for power relationships and “values” related to white supremacy, and in the minds of advocates of “dis-recognition” of Virginia Indians, the very eugenic “integrity” of the white “race” were at risk. Yet Native people could act in ways that made use of aspects of dominant racialist discourses even as, by their very existence, they challenged the construction of race along black-white lines.

Several historians have analyzed how some elite white Virginians in the twentieth century paternalistically worked to gloss over the levels (or the threat) of physical violence involved in maintaining Jim Crow, in order to promote the idea that “race relations” in Virginia were more controlled and less bitter and contentious than elsewhere

⁴⁰Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998), 155.

in the South.⁴¹ The stories of Native peoples in Virginia, among other things, provide a case study in the operation of various levels and forms of racialized coercion in a setting that emphasized “deference” over more overt threats. These stories also show ways in which that coercion, and racialized classifications themselves, could be sometimes contested and sometimes internalized. As David Theo Goldberg pointed out, an effective racialized system of exclusion depends on inclusion and a “sense of belonging together” and also upon the “establishment of an authority (institutional or personal) in the body or person(s) of whom group members partially recognize themselves.” This raises questions about “what the primary motivating factors of a sense of mutual belonging could be.”⁴²

In the wake of the Civil War and into the twentieth century, some of Virginia Native peoples’ responses to this question, in the face of Jim Crow and resulting needs to draw lines around Native identities, did demonstrate exclusionary tendencies. People on the Mattaponi and Pamunkey reservations responded to the culture of segregation in Virginia, in part, by denying that they had a significant history of marriages and other relationships with African Americans. Despite the small size of these groups, after the Civil War and into the twentieth century, tidewater Native groups also managed certain kinds of institutional separation and segregation in churches and schools. It seems likely that before that time, even as European and African people came increasingly to dominate tidewater Virginia’s landscape, Native communities had operated in less exclusive ways. It may be that, before 1865, community participation and association

⁴¹See, for example, J. Douglas Smith, *Managing White Supremacy: Race, Politics, and Citizenship in Jim Crow Virginia* (Chapel Hill and London: The University of North Carolina Press, 2002).

⁴²David Theo Goldberg, “The Social Formation of Racist Discourse,” in *Anatomy of Racism*, ed. by David Theo Goldberg (Minneapolis: University of Minnesota Press, 1990), 304.

were very important among Virginia Native communities, compared to the notion of the black-white color line, in the building of group identities and families. As among the Lumbee, though, the tightening of restrictions on free blacks in Virginia before emancipation, and then the rise of Jim Crow, clearly demonstrated the risks involved in accepting into community participation people who were regarded by whites as black or “colored.”

Among organized tidewater Virginia Indian groups, not only exclusionary organizations but also the sense of a shared history as “Powhatan” people has over decades functioned as a tool for building and maintaining group identities, even where, to “outsider” eyes, no reservation lands or language or major differences in their everyday material culture distinguish tidewater Natives from their neighbors.

This shared history is elastic enough to allow Native people in tidewater Virginia to make use of pan-Indianisms, in the service of demonstrating and expressing Powhatan identity. Pan-Indian symbols had and have potential as strategic tools for conveying important messages to the dominant white society, for reinforcing intra-group social and cultural structures, and for connecting Virginia Natives’ experiences to wider histories of Indian-white relations. Pan-Indian traits were and are, in those ways, potentially means of constructing or promoting personal and group identities grounded in historical, rather than essentialist, understandings of culture and identity.

Powhatan and pan-Indian histories and symbols, as well as separate institutions, were, then, resources for maintenance of Virginia Indian identities in the decades when Matthew Frye Jacobson has argued that there was a splintering and then re-construction of the idea of whiteness. In that context, Native peoples throughout the United States

faced concerted pressures, especially from the federal government, toward assimilation into “mainstream” economic life. Many historians and others have remarked on official rhetoric (before the New Deal era) that federal programs could and should remake Indians, economically, culturally, and socially, into people virtually indistinguishable from their white neighbors. The land allotment and termination programs are among the most fundamental aspects of this federal policy, but assimilative pressures cropped up in a host of other programs as well, such as federal education programs. In Virginia, in contrast to federal assimilative goals, some state officials worked to deny that any “real” Indians lived in the State, and attempted to place non-reservation Virginia Indians in the category of “colored” or black. By 1924, the state’s legalized goal was to assimilate Native Virginians to a society and economy dominated by a black-white color line, not so much to make Virginia Indians more like their white neighbors.

The story of Native Americans in Virginia in the twentieth century, then, illuminates aspects of modern constructions of race, and provides a counterpoint to modern federal policies intended to shape Native American identities. It also involves Native encounters with popular-culture stereotypes. Today, some Native people are wary of “new age” or “wannabe” romanticized visions of Indianness (visions whose roots and branches are explored in Philip Deloria’s *Playing Indian*). Claiming the stereotypical “Cherokee Princess” as an ancestor may draw derision, and the political and economic stakes for federally recognized tribes can be both high and hotly contested. As noted, tribal memberships have in some times and places been based in “blood quantum” formulae-- formulae that are widely regarded as historically foreign to older Native ways

of constructing identities. For Native peoples, questions about how people build a sense of belonging to a group, and about the meanings of ethnicity, tradition, and community continue to be especially vexed, complicated not just by “race” but also by land and treaty issues involved, and by the resulting government-to-government relationships of federally-recognized tribes with the national government.

Sometimes Native people challenged dominant white racial ideologies not so much by directly questioning or opposing the idea of the color line, but more by insisting on a Native position outside a binary construction of race. As the twentieth century progressed, some scholars argue that some Native groups worked toward identities that were more ethnicized than racialized. James F. Brooks, in his study of a “Black Ute” family in southern Colorado, suggested that today, at least one member of a family descended from a black Civil War veteran and a Ute woman “treated the African and Indian elements of her family’s background in particular and mutually distinguishing ways,” rather than representing them in a synthesized “mixed” identity, in what Brooks describes as strategy for “situational multiethnicity.”⁴³ The setting in Utah, of course, differs considerably from that faced by people in tidewater Virginia and the rest of the South, where racialized issues played out in a society and culture shaped by slavery and Jim Crow, including official action to position Native people in a category of black or “colored” identities.

The idea of race as a biologized, natural phenomenon only became more powerful when it took on the additional buttress of eugenic thinking as eugenics became

⁴³ James F. Brooks, in the Introduction to *Confounding the Color Line: The Indian-Black Experience in North America* edited by James F. Brooks (Lincoln and London: University of Nebraska Press, 2002), 4, 6.

increasingly part of American popular media by the 1920s. Part of the prevalence and popularity of eugenicist thinking derived from the fact that eugenics, in this era, had advocates with respectable credentials and therefore some credibility as a mainstream buttress for racialized thinking. As Eleazar Barkan has noted, in writing about the worlds of anthropology and biology in the early 1920s, while some studies raised possible “alternatives to biological determinism,” it took time for such alternative to gain credibility not just among the general public but within scientific institutions. He argued that “Castigating these racist positions as pseudo-science is therefore anachronistic.”⁴⁴

Still, at that time there was also a developing dialogue about cultural relativism and race that involved professional anthropologists, like Franz Boas and Frank Speck. As Peggy Pascoe has pointed out, this situation was more complex and interesting than

a commonly held but rarely examined intellectual trickle-down theory in which the attack on scientific racism emerges in universities in the 1920s and eventually, if belatedly, spreads to courts in the 1940s and 1950s and to government policy in the 1960s and 1970s.⁴⁵

If anthropologists and academics like Boas are often viewed as key figures in challenging scientific racialism, the roles played in Virginia by anthropologists such as James Mooney and Frank Speck deserve attention, as part of an examination of that “rarely examined intellectual trickle-down theory.” In looking at the contingent nature of “ethnic” and racialized lines, and the varied ways in which groups may draw lines to define themselves, a search for “aboriginal” and “traditional” cultural traits was one tool that ethnographers used for and with tidewater Virginia Native people from the

⁴⁴ Barkan, *Retreat of Scientific Racism*, 111.

⁴⁵ Peggy Pascoe, “Miscegenation Law, Court Cases, and the Ideologies of Race,” *Journal of American History* 83 (1996): 47.

nineteenth century and into the 1940s. It was perhaps not the most valuable tool for tidewater Natives' long-term needs, because emphasis on the "aboriginal" echoed a history, in popular and anthropological worlds, of efforts to "primitivize" Indian identities.

The types and degrees of stereotyping of Native Americans involve backward-facing ideas about what makes a "real" Indian; other ethnicized groups do not face the same levels of white expectations that their "real" culture is a relatively static model that is, or should have been, unchanged since 1492. If anything, "Indianness" has drawn additional attention as some Native groups grab headlines, and a few reap profits, from gambling enterprises. Today, the increasing ability of some tribes to exert influence and power-- or at least make their voices louder-- in wider political and economic arenas seems to have prompted some whites to look for additional reasons to question Native identities. Some European-Americans hold ideas about what makes an "authentic" Indian that are at odds with lived experiences and histories of the fluid, constructed, contingent, and ever-contested nature of lines demarcating racialized and "ethnic" divisions in this country.

At the same time, challenging questions arise around the phenomenon of "new agers" or "wannabes" and others claiming Native identities and "ancestry" though they have not participated in Native communities. For some Native peoples, such claims appear as a real threat to their communities and their cultural and social well-being, a threat that must be addressed in part through renewed processes of delineation of boundaries between Native and non-Native people. Eva Marie Garroue, a sociologist, has in her recent work tackled the broad question of the definition of Indianness. She

schematized several different approaches to “the question of racial authenticity,” and some of the problems and problem-solving work of each, on the way to proposing what she calls “radical indigenism.”⁴⁶ In doing so, she emphasized not only ideas about ancestry and lineage, as grounded in ‘coherent tribal philosophies of knowledge,’ but also a notion of kinship (not “blood quantum”) and a “responsibility to reciprocity” that entails participation in community as evidence of membership in that community.⁴⁷ She emphasized the importance, for students and scholars of these issues, of respecting community values, and of attempting to “enter” tribal philosophies and tribal relations, understanding those principles and relations as based in practicality as well as spirituality.⁴⁸ At the same time, her use of words like “coherent” and “authentic” to describe tribal “philosophies” may reflect some ahistorical ways of understanding cultural processes. Her language about “reassertion and rebuilding of traditional knowledge from its roots, its fundamental principles” could suggest a static rather than dynamic vision of processes of cultural and social change, leading her to make a pre-emptive defense against charges of “essentialist” thinking. If by “responsibility to reciprocity” Garrouite meant to suggest that “real” Native people in some ineffable way have been and are essentially or uniquely oriented to community obligations, this seems unwarranted. On the other hand, if she intended the concept of “responsibility to reciprocity” to refer to historical processes by which individuals learn to participate in

⁴⁶Eva Marie Garrouite, *Real Indians: Identity and the Survival of Native America* (Berkeley: University of California Press, 2003), xii, 101.

⁴⁷*Ibid.*, 121, 127.

⁴⁸*Ibid.*, 107.

communities, and by which communities define which individuals are members of the group, that seems a useful analytical tool.⁴⁹

The twentieth-century historical and political environment for community maintenance, though, becomes even more complex when and where generalized American structures of racism are strong. Racialism, of course, is not just a southern thing. In New England, early twentieth-century processes of public reinvention and rebuilding of individual Native identities and tribal organizations meant, according to Ann McMullen, that Native people “worked their way out of being perceived as colored.” After about 1880, she said, “Indian peoples’ evaluations of one another across tribal boundaries increasingly focused on race and specifically African American ancestry.” Then, “In the 1920s and 1930s, Indian people fighting against these racial ideologies led pan-Indian cultural revivals and built new tribal organizations to reposition Native Americans within a bipolar Black and White society.” In twentieth-century political activities, she argued that some New England Native peoples carved out for themselves a third type of identity, neither black nor white, and in a sense made this work on the basis of “a combination of cultural and hereditary factors.” McMullen has contended that this kind of identity is “analogous to what are seen today as ethnic groups....”⁵⁰ Karen Blu has made a similar argument about Lumbee identity formation; she said they have a history of viewing themselves in terms “essentially ‘ethnic’ (rather than ‘racial’) at a time

⁴⁹*Ibid.*, 101, 120, 102.

⁵⁰ Ann McMullen, “Blood and Culture: Negotiating Race in Twentieth Century New England,” in *Confounding the Color Line: The Indian-Black Experience in North America* edited by James F. Brooks (Lincoln and London: University of Nebraska Press, 2002), 266, 267.

when only a few social scientists used the term” and while successfully asserting their indigenous status.⁵¹

If some Native peoples in the United States attempted to re-fashion their identities in a framework that emphasized more “ethnic” than “racial” underpinnings, this would appear to have been especially difficult for two main categories of Native groups. One is federally recognized tribes with a long history of federal involvement in racialized methods of determining tribal membership, including the “blood quantum” concept. The other is southern non-federally recognized Native peoples, who live in a region where the legalized, codified notion of race as a black-white divide has had such broad power to place Native people on the black side of that color line. (The Lumbee, as a large group, are notable for their successes in gaining various forms of recognition despite this situation.) If, as Eleazar Barkan argued, the success of the anti-immigration campaign of 1924, together with America’s relative isolation and prosperity in the 1920s, decreased some of the popular fear behind eugenic thinking nationally in the United States, it was still possible in Virginia for the proponents of the 1924 “racial integrity” law to use eugenic and racist appeals in their campaigns against Virginia’s Indians (and blacks) for many years afterwards.⁵²

As we will see, one facet of this story is that, during World War II, some Native Virginians resisted efforts to draft them into the then-segregated United States armed forces to serve as African Americans.⁵³ Predictably, Walter Plecker opposed their effort

⁵¹ Karen Blu, *The Lumbee People: The Making of an American Indian People* (Cambridge, London, and New York: Cambridge University Press, 1980), xii-xiii.

⁵² Barkan, *Retreat of Scientific Racism*, 271.

⁵³ Paul T. Murray, “Who is an Indian? Who is a Negro?: Virginia Indians in the World War II Draft,” *The*

to be recognized as Indian rather than black. Although the 1924 law defined whiteness for purposes of “miscegenation” law, Plecker worked to apply the “no trace whatsoever” rule to questions of school attendance and military service. Some Virginia Indians in this episode seemingly adopted, or acquiesced in, the dominant society’s segregation by refusing to serve in the military with African Americans.

This conflict surrounding racialized categories and the draft is a dramatic episode in the history of post-Civil War efforts by tidewater Indians to separate themselves from their black neighbors. The ethnohistorian Helen C. Rountree has done much work on Algonquian-speaking Native Americans of the Powhatan chieftaincy and among their descendants, people who had been largely ignored by white scholars since the decades when the anthropologist Frank Speck took an interest in them. In large part, for more recent history, her work seems reticent about the historical possibilities of African-American participation in Powhatan communities. She has suggested that into the 1860s, Powhatan groups may have taken an approach to group boundaries that relied on community participation and “social congeniality,” not just ancestry, in ante-bellum years. She added, though, that social “congeniality” might only get one status as a “fringe” member of a tidewater Indian community, and that “Most such people were probably other Indians.”⁵⁴ It seems, then, that to this day the historical presence and participation of African Americans in tidewater Native groups is a subject that can get gingerly scholarly treatment. It seems, too, that this kind of reticence reflects the long

Virginia Magazine of History and Biography 95 (1987): 215-231. Rountree, *Pocahontas’s People*, 230-234.

⁵⁴Rountree, *Pocahontas’s People*, 189.

history of tidewater Natives' construction, after the Civil War, of defenses against whites' efforts to categorize them as "colored" if not black, rather than Indian.

If kinship and community among tidewater reservation Native Americans were based at least partly in community participation and reciprocity (as opposed to ideas about ancestry) before the Civil War, then after that war emancipation, segregation, and disfranchisement fundamentally altered the social and political landscape and Native peoples' strategies for dealing with racialized discrimination in Virginia. In reaction, tidewater organized groups could deny that their recent past as communities included African American participation. This stance was in contradiction to the longer-range history of southern "race mixing" involved.

Even among whites there has been some level of recognition that trying to track down and label all of anyone's ancestors is impossible, and genealogical effort can lead into confused and ambiguous territory. In some times and places, southern whites' legal systems have relied not just on ancestry but also upon community reputation and associations, and sometimes assumptions about the physical traits associated with racialized stereotypes, in determinations about blackness, redness, or whiteness. Thus, if Powhatan peoples of the pre-1865 period recognized bases for individual identity and community participation that were not solely biological or genealogical, there were times when their white neighbors also, in a way, could also see community participation and reputation as crucial in establishing racialized social and legal identities.

After the Civil War, though, organized tidewater Native groups found themselves in a world where biology and community reputation more often worked in ways that reinforced the idea of an inflexible black-white color line. As a result, Indian-black

relationships and identities can still be contested among Native people in Virginia today, judging from events of 1997 reported by Danielle Moretti-Langholtz. That year, a group split from the United Rappahanock tribe because of changes in the tribe's articles of incorporation which the departing group believed were designed to exclude people who had African American ancestors.⁵⁵ In this case then, it seems rather than an ethnicized or participatory conception of community identity, a racialized model was operating.

This 1997 contestation happened despite a general backdrop of the modern civil rights movements and a seeming continuation of the trend toward broadening of "ethnic" identities while "race" continues as shorthand mainly for a black-white divide. Joane Nagel has pointed out that in the 1980 census many more Americans reported Indian ancestors than identified themselves as racially Indian, suggesting that, nationally, the "one drop" notion is not commonly held to apply to Native identities.⁵⁶

Still, it appears that the legacy of the systems of belief that underlie Virginia's 1924 legal definitions of racialized identities have lived long among some of Virginia's Indians. Circe Sturm remarked of Cherokee people today "...many Cherokees express contradictory consciousness because they resent discrimination on the basis of race and yet use racially hegemonic concepts to legitimize their social identities and police their political boundaries."⁵⁷ The same contradiction has cropped up in the histories of organized tidewater Virginia Indians, rooted in past experiences similar to those that

⁵⁵Danielle Moretti-Langholtz, "Other Names I Have Been Called: Political Resurgence Among Virginia Indians in the Twentieth Century" (Ph.D. diss., University of Oklahoma, 1998), 177, 197-198, 234-243.

⁵⁶Joane Nagel, *American Indian Ethnic Renewal: Red Power and the Resurgence of Identity and Culture* (New York and Oxford: Oxford University Press, 1996), 91.

⁵⁷Circe Sturm, "Blood Politics, Racial Classification, and Cherokee National Identity: The Trials and Tribulations of Cherokee Freedmen," in *Confounding the Color Line: The Indian-Black Experience in North America* edited by James F. Brooks (Lincoln and London: University of Nebraska Press, 2002), 224.

affected other peoples such as the Cherokee, Lumbee and Catawba. In defending their Indianness, organized tidewater groups could make use of racialized ideas about “blood,” and they established institutions that emphasized their social separation from their African American neighbors in the post-Civil-War era and beyond. Given the ways in which racialized systems of thought and power operated in the South, they had few other tools at hand. Except for their use of pan-Indian imagery and symbols, they were constrained in their efforts to maintain their Indian identities by the prevalence and power of racialism, segregation and eugenic thinking.

Chapter Two

Making the 1924 “Racial Integrity” Law: Defining Whiteness, Blackness, and Redness in a Modernizing, Bureaucratizing State

In January 1925, William Archer Thaddeus Jones sat in the offices of Virginia’s Bureau of Vital Statistics answering detailed questions about his parents, grandparents, and siblings and their “race.” These questions were designed to define, under new rules established by Virginia’s 1924 “racial integrity” law, his racial identity and that of his children. Jones’ answers to those questions were brief and matter-of-fact, but his responses showed the complexities of racialized classification in his part of Virginia, the tidewater. He noted his extended family’s Pamunkey and Chickahominy connections and the reputations of others in the community as “mixed” people, saying that at some point in the past, “you know they just had colored and white at that time.” He reported that his sister’s children attended the “Indian school” established by the Chickahominy at Roxbury, and that the children of his brother, then living in Newport News, were not allowed to attend white schools in that city. Finally, the interviewer queried Jones in a way that illuminates the nature of the power relationships at stake here:

B. [Albert O. Boschen]: Now, Jones, you want to establish your racial standing so that your children can attend the ‘Indian’ school, the same as your sister’s?

J. Yes-sir.

B. You understand, Jones, this is simply to get your children into the ‘Indian’ school, and not to allow you the privilege of riding on the white cars and intermarrying with white people.

J. Yes-sir, for nothing else.¹

To explore the context and meaning of this testimony means examining not only the positions of people in Virginia who laid claim to Indian identities as the implications of the 1924 “racial integrity” law were playing out, but also the intentions, belief systems,

¹ typescript “Interview Between William Archer Thaddeus Jones and Hon. Albert O. Boschen, January 31st, 1925,” box 41, Papers of John Powell, Small Special Collections Library, University of Virginia.

rationales, and justifications of the white Virginians who promoted that law. These factors shed light on how Native people in Virginia challenged white officials and white supremacists who worked to fit them into a Jim Crow binary scheme of white-black racialized categories. There were many complications, in addition to marriage and “miscegenation.” Schools might be actually fall into three categories, rather than into a two-part black and white system. Some people whom some whites wanted to class as “colored” had succeeded, by declaring themselves Indian, in securing an official degree of separation from African Americans, in order to ride in the “white” railroad cars.

This chapter will argue that, as that very success provoked fears among some whites about the stability of the regime of white supremacy and motivated those who supported Virginia’s 1924 “miscegenation” law, it provoked an attack on Indian identities in Virginia that was rooted in the latest eugenic thinking as well as in the oldest developments in American racialism. The result was that even though they were relatively small in numbers, Virginia Native peoples were framed as a special threat, and became special targets, in the efforts of whites who sought to enforce a profoundly ahistorical notion of racial “purity” in Virginia.

Walter Ashby Plecker, John Powell, and Earnest Sevier Cox were among the most publicly visible, vocal, and energetic proponents of Virginia’s 1924 “racial integrity” law. They intended to minimize and deny ambiguities of the kind that William Archer Thaddeus Jones presented. They are widely credited with major roles in the 1924 law’s enactment. All three were very aware of eugenic thinking as espoused in the popular literature of the day. The three of them married their southern-based ideas about white supremacy to the popular, national eugenic rhetoric of the 1920s. In a sense, their

arguments for what they touted as the urgent necessity of yet another link in Virginia's long series of miscegenation laws joined older strains of white southerners' racist thinking to the language of eugenics. Taking advantage of the opportunities and interest generated by the anti-immigration campaigns of northern eugenicists, they reached out to potential supporters, who shared their interests in "racial purity," North and South. Their correspondents included Ku Klux Klan members as well as members of the Universal Negro Improvement Association and Marcus Garvey himself.² Completely devoted to the southern regime of segregation and "white supremacy," they sought to clothe their campaign in the latest racialized science, and reached out to northern white eugenicists and to Marcus Garvey, in order to distance themselves from the worst excesses of Southern racism before the national audiences they hoped to reach. Plecker, Cox and Powell's activities also fit into national trends in the construction of race as a black-white binary system, processes explored by Matthew Frye Jacobson and other historians in recent years.

For Plecker and Powell, the fight for the 1924 law was complicated by their recognition that there were people in Virginia who claimed Native American identities or ancestry. Their approach to this "problem" for the construction of a simple black/white "color line" was that, while acknowledging that some people in Virginia were of "mixed" race, they were adamant, in their uses of eugenic rhetoric, denying that such a "mixed" identity could mean anything other than being on the black side of that "color line." Powell and Plecker attempted to justify and explain their denial that there were "real" Indians in Virginia (a status they attempted to define as Native people with no

² See chapter 8 of Michele Mitchell's *Righteous Propagation: African Americans and the Politics of Racial Destiny After Reconstruction* for a discussion of the intersections of eugenic thinking with the purposes of the U.N.I.A.

black ancestors) by joining eugenic concepts to the older, fabled “one drop rule.” To the extent they were successful in making this argument and enforcing Virginia law’s definitions of race categories, they were building on a long history of legal efforts to define race in a society where “race” was, of course, far more complex and multi-faceted than any Virginia law had ever recognized. More than three hundred years of human interactions across the “color line” meant that, in 1924, Virginia was (to use a term Plecker and Powell and Cox used) a “mixed” society.

This chapter contends that to an even greater extent than some recent scholars have emphasized, even before the 1924 “racial integrity” law passed, Powell and Plecker were aware of the challenge posed by Indian Virginians. Further, the ways in which Powell, Plecker and Cox used the eugenic rhetoric of their day created a dynamic within their argument which probably compelled them to make the “threat” posed by Native Virginians (whom they considered “mixed”) a centerpiece of their efforts to enforce legal buttresses to white “racial integrity.” As small, but recognizable, groups, Indian Virginians who did not live on reservations, as historians have noted, became Plecker’s particular targets in his efforts to enforce the 1924 law. In recent years, scholars including Peter Wallenstein, Paul Lombardo, Richard Sherman and J. Douglas Smith have written ably about the passage of the 1924 law and the belief systems of its proponents. To expand on their writings, this chapter will argue that the targeting of Virginia Indians occurred not just because it would have been hard for Plecker to find other communities so easy to target in the profoundly “mixed” society that was and is Virginia. Organized Virginia Natives were indeed a small, but identifiable, set of communities that Plecker could exploit to make points in his larger eugenic battle.

Beyond that, though, Virginia Indians, by 1924, in various ways and over decades, had established their willingness and ability publicly and politically to assert their positions as Indians in post-bellum Virginia. In that way, potentially, they constituted a threat to the very notion of race as a black-white divide. Further, the fact that some Virginia Indians, in Plecker's view, were "near white" made them, in his eyes, especially dangerous as a leading edge in the eugenic "threat" to the "white race." Therefore, he and Powell and Cox urged the white public to confront this "threat" with a new sense of urgency on eugenic and social as well as political grounds. Plecker and Powell thus found Native Virginians central, not peripheral, to their fight for white eugenic "integrity," white supremacy and the legalization of a "one drop rule."

Virginia's legal definitions of race had not, until 1924, codified that mythic, popular "one drop" notion. Rather, for a long time Virginia law attempted to define racial identities by specifying how many ancestors might make one black or red, expressed as a number of ancestors or percentages of ancestry. These percentages shifted over time, as a legal matter. Attempts to define racial identity in terms of genealogy and "blood quantum" were and are fraught with practical difficulties. They are also logically, socially, and culturally counter to other common means of defining and living racialized or ethnic identities (including even physical appearance). At times, courts and other government bodies did recognize that other factors, such as community reputation and participation, physical characteristics, and the people with whom an individual associated could be more feasible or "common-sense" ways of legally defining an individual's "race."³ Still, in 1866, the Virginia legislature had defined what made an individual

³ See, for example, the discussion in Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law: an American History* (New York: Palgrave Macmillan, 2002), 33. For other cases in which

legally black (“colored” was the word in the legislation) this way: the individual in question had one-fourth (or more) “Negro blood.” This meant, of course, that a person with less than one-fourth black ancestry was legally white. The 1866 law also defined Indianness in Virginia; it similarly used the one-fourth fraction for defining the minimum “blood” that made one Indian, but added the proviso that, legally, no one was legally Indian if they could be defined legally as black. In 1910, the Virginia legislature again redefined this legal standard for determining who was black; the new standard was a more restrictive “one sixteenth or more of Negro blood.” The standard for being legally Indian was not changed in 1910.⁴

The fact that these fractions could be, and were, changed, is of course a sign that such legal definitions were cultural, social, and political, rather than self-evident or “natural.”⁵ Perhaps the most remarkable feature of the 1924 “racial integrity” law was its attempt to set an absolute standard for whiteness this way: “no trace whatsoever of any blood other than Caucasian.” The one exception (which Plecker came to regret) was allowing Virginians with “one sixteenth or less of the blood of the American Indian...and no other non-Caucasic blood” to be legally defined as “white.”

While the 1924 law was remarkable for this new definition of whiteness, it was not remarkable in the sense that it dealt with “miscegenation.” Virginia had a long history, stretching back to the mid-seventeenth century, of legal sanctions against

Virginia courts looked at race “socially speaking” and at physical appearance, and a case in which Indian “blood” was an issue before the court in the post-bellum era (1877’s *McPherson v. Commonwealth*), see also Samuel N. Pincus, *The Virginia Supreme Court, Blacks, and the Law, 1870-1902* (New York and London: Garland Publishing, Inc., 1990), 52-53, 55-57.

⁴ Richard B. Sherman, “The Last Stand: The Fight for Racial Integrity in Virginia in the 1920s,” *Journal of Southern History* 54 (February 1988): 70. See also Peter Wallenstein, *Blue Laws and Black Codes: Conflicts, Courts, and Change in Twentieth-Century Virginia*. (Charlottesville and London: University of Virginia Press, 2004), 147-148.

⁵ Peter Wallenstein has remarked on this. See his *Tell the Court I Love My Wife*, page 140.

“interracial” marriage and sex; as early as 1662, the fines for fornication were doubled if the crime involved a “Christian” and a “Negro man or woman.”⁶ In 1691, Virginia, like Maryland before it, enacted a law against interracial marriage—the penalty for free violators being banishment from the colony. This law provided that intermarriage meant a union between, on one side, “English or other white man or woman” and, on the other side “a Negro, mulatto, or Indian man or woman.”⁷ Other “miscegenation” laws, with varying penalties, followed, culminating in the 1924 law. Thus, from the beginning Virginia’s miscegenation laws were based on a distinction between whites and all other racialized categories of people. Whites legally were supposed to marry only whites; being Indian rather than black was in that sense not really very relevant, an approach that Walter Plecker would echo many years later.

State efforts for surveillance, discipline, regulation, and in some cases punishment of extra-marital “inter-racial” sex and of citizens’ choices of marriage partners thus stretch back to the colonial era in Virginia. In some sense, the existence of law on these subjects in the colony of Virginia may be seen as an aspect of the budding modernity of the state apparatus of the British colonies in North America, reflecting an era of ferment in the developing concept of the European nation-state. Much later, the uses of state power were an issue for eugenicists from the very beginning of the eugenic movement, as they asked the question whether many people would voluntarily adhere to eugenic principles in their own reproductive choices. Dan Kevles pointed out that in England, by the 1880s, some eugenic “reformers were forging [social] Darwinism into a weapon

⁶ A. Leon Higginbotham, Jr., *In the Matter of Color: Race and the American Legal Process: The Colonial Period* (Oxford and New York: Oxford University Press, 1978), 43.

⁷ *Ibid.*, 44.

against laissez-faire.”⁸ By the 1920s, Plecker and Powell and Cox could point to continued and growing centralization and ramification of modern state powers, at the state and federal levels, to buttress their notion that government could and should act to police citizen’s racialized identities and maintain modern record-keeping systems about those identities, in the service of segregation and the eugenic “integrity” of the white “race.” In this sense, Plecker, Powell and Cox fit a common progressive-movement profile of supporters of eugenics. As Edward Larson noted, eugenicists came from a wide spectrum of political views, but many saw themselves as “middle-class professionals applying scientific expertise to solve pressing social problems through governmental intervention.”⁹

To Powell, Cox and Plecker, existing local and community mechanisms for social control of racialized identities and prevention of “interracial” marriage were no longer adequate, especially in light of the increasing numbers of Virginians moving from rural to urban environments, a development they saw as a threat to what they conceived as the proper racialized identification and classification of Virginia’s citizens.¹⁰ These three men cited the challenges of World War I as bringing racialized “problems” to the fore, necessitating government action. Those continuing “problems,” as Earnest Cox saw

⁸ Daniel J. Kevles, *In the Name of Eugenics: Genetics and the Uses of Human Heredity* (Cambridge, Massachusetts, and London: Harvard University Press, 1995), 23.

⁹ Edward J. Larson, *Sex, Race and Science: Eugenics in the Deep South* (Baltimore and London: The Johns Hopkins University Press, 1995), 30.

¹⁰ The southern context of this progressive-era tendency is exemplified also in that the Virginia governor, Elbert Lee Trinkle, who signed the “racial integrity” law of 1924, was, to judge by the volume of correspondence in his surviving files, very concerned that Virginia participate in the period’s “good roads” movement along with other state governments. (See Virginia Governors’ Executive Papers, Record Group 3, for E. Lee Trinkle, governor from 1922-26, boxes 19, 20, and 29, accession 21567b, at the Library of Virginia.) Perhaps better roads were seen as desirable not only for commerce and tourism, but also, more generally, in order for state government to carry out its functions of policing and enforcing government policies and laws, including those related to public health and social order. The mobility offered individuals by a modernizing road system would seem to raise the stakes for state action to control the consequences of that mobility.

them, included competition for labor intensified by advances in mechanization, making it desirable to send “the Negro to the homeland of his ancestors and establish him there in independence and security.”¹¹ For Cox, World War I mobilization also demonstrated the ability of government to approach such “problems” on a grand scale. Cox cited the successes of wartime mobilization as evidence of the potential technical possibilities for centralized government to deal with racialized issues, issues that Cox saw as resulting from centuries in which red, white, and black people had lived together in North America. The growing capacities of modernizing government apparatus, at the state and federal levels, could thus, for Powell and Plecker and Cox, be put in the service of their eugenic program. As we will see, their ideas ranged from advocacy of maintenance of existing legal segregation mechanisms (as for example by strengthening “miscegenation” law in Virginia), to their advocacy that African Americans be encouraged to leave the country and to go “back” to Africa. As early as 1906, Cox was talking about “the disposal of the Negro” and “deporting the black savage again to his native jungle.”¹²

When it came to the powers of the state to police racial identities, Virginia’s Native people were especially vulnerable to an argument that joined Jim Crow and older strains of racialized ideologies to popularized eugenic thinking. In making a case that Indians in Virginia, with very few individual exceptions, were all “mixed” and also black under the 1924 law, Plecker, Powell and Cox argued that in fact, “mixed people” or “near whites” were most “dangerous” to the “purity” of the white race, because they would be both more eager and more able to evade Jim Crow restrictions and “pass” into

¹¹ Earnest Sevier Cox to Will Buford, 19 January 1923, box 2, Earnest Sevier Cox Papers, William R. Perkins Library, Duke University

¹² Earnest Sevier Cox to Mrs. E.D. Pines, 1 October 1906, box 1, Earnest Sevier Cox Papers, William R. Perkins Library, Duke University.

white communities. That kind of “passing” they described as an immediate and great eugenic danger to the “purity” of the “white race.” Virginians who claimed Indian identities, though not numerous, were the “mixed” people who might be most likely, Plecker and Powell feared, to be perceived by ordinary white Virginians as separate from African Americans and therefore they might pose a eugenic threat out of proportion to their numbers. Indians were thus on the minds of the proponents of the 1924 “racial integrity” law from the beginning. After the law’s passage, as noted, despite their relatively small numbers, Indian Virginians were a primary target for Plecker’s enforcement activities.

It seems clear that Plecker, Cox and Powell were prompted, at least in part, by Virginia Native people’s actions since the waning decades of the nineteenth century in asserting their Indian identities publicly, getting attention from white anthropologists, and circumventing Jim Crow segregation in railroad cars. Correspondence shows that Virginia Indians were among Plecker’s and Powell’s concerns about this even before the 1924 law passed, and remained a focus after the law went into effect. Plecker and Powell found in popular eugenic thinking and language, so prevalent in the 1920s, a way to express and justify their attitudes toward Virginia’s Native communities, using images of contamination of the “superior” race. The scholar Betsy Nies was probably largely right in saying that “Eugenicists seemed particularly unaware of Indians as a living population in the country. The Indian Citizenship Act passed one week after the Immigration Act of 1924 without a murmur from them.”¹³ Robert Berkhofer similarly pointed out that among United States congressmen that year “The influx of millions of Southern and

¹³ Betsy L. Nies, *Eugenic Fantasies: Racial Ideology in the Literature and Popular Culture of the 1920s* (New York and London: Routledge, 2002), 65-66.

Eastern Europeans appeared more dangerous in their eyes than a few hundred thousand pacified Indians.”¹⁴ In Virginia, things were different. Notwithstanding the 1924 Indian citizenship law (the first national, blanket legal statement that all native-born Native Americans are indeed citizens of the United States), proponents of Virginia’s 1924 “racial integrity” law were vocal and active in taking steps to deal with what they considered the eugenic threat posed by Virginia’s people who publicly presented themselves as Indians, attempting to make Virginia Natives second-class citizens.

This chapter will follow these two connected strands of the racist impulses behind the passage of Virginia’s “racial integrity” law— the ways Powell, Plecker and Cox used eugenic language in the service of older racist ideas, and how they worked out their belief in a “one drop” definition of blackness in light of their awareness that some Virginians viewed themselves as red rather than situating themselves on one side or the other of the color line as a black-white binary. Some Indian Virginians were vocal in their opposition to the stance of Plecker, Cox and Powell. Though less well documented than the actions of Plecker, Powell and Cox, Native peoples’ actions, reactions, and resistance obviously are also central to this story, and the mere fact of their survival testifies to their successes.

In their correspondence, Plecker, Cox, and Powell sometimes touted their identities as southern whites, in order to emphasize that their commitment to white supremacy was rooted in southern experience, politics and culture. Plecker was a physician, born in Staunton, Virginia, who had become head of Virginia’s Bureau of Vital Statistics. Powell was a concert pianist and composer from Richmond, whose

¹⁴ Robert. F. Berkhofer, Jr., *The White Man’s Indian: Images of the American Indian from Columbus to the Present* (New York: Alfred A. Knopf, 1978), 177.

musical training and career took him to Europe, and who maintained an interest in American music, including what he conceived as the white folk music of the southern Appalachians. (He participated in the White Top Festival in Virginia that was designed to promote that music.) Cox, from Tennessee, studied at the University of Chicago, traveled in Africa and other parts of the world as a younger man and worked for a time in South Africa, settling in Richmond by 1922. Plecker and Powell promoted him as having made a deep study of the “race problem” internationally, and advised correspondents to read his book *White America*. Clothed in eugenic arguments but also based in older strains of white southern racialism, the idea of colonization or “repatriation” and deportation of African Americans to Africa was Cox’s proposed solution to the race “problem” again and again over decades. Cox and some of his friends argued not only that if two “races” lived in close association, “amalgamation” would inevitably result, but also that equally inevitably if the “mixing” involved white people the result would be racially inferior to what Cox regarded as the “true” white race. Thus, Cox presented colonization or deportation as the only real solution to what he constructed as a pressing eugenic problem. Cox in this way joined a eugenic appeal to older racialized thinking, including some specifically white, southern concerns. An allegiance to some version of the lost-cause vision of recent southern history seems likely to have been part of what drew him to employment at the 1907 Jamestown Exposition, where he lectured on Civil War battles. Perhaps while there he witnessed, or was aware of, the presence and performance of Virginia Native Americans at that Exposition. Those performances were an assertion of Native identity on a national stage of exactly the kind that seems likely to have alarmed Cox and his allies.

Because Virginia's 1924 "racial integrity" law defined whiteness in such a spectacularly unrealistic (if popularly accepted and assumed) way for purposes of preventing "interracial" marriages, it would be easy to overlook a related aspect of the operations of government powers as the commonwealth of Virginia modernized: keeping track statewide of vital records on births, deaths, and marriages. In defining racialized categories, Plecker relied on evidence from several sources. One was what Plecker labeled "old" official Virginia marriage and birth records from the 1850s to 1896. After 1896 the systematic collection of birth and death records at the statewide level lapsed temporarily. Then, in 1912, Virginia passed legislation to provide again for centralized, consistent statewide gathering of birth and death vital-statistics records, based upon a legal model endorsed by the American Medical Association, the American Public Health Association, and the U.S. Bureau of the Census.¹⁵ Plecker became a key state official charged to help enforce this law in 1912, and served as State Registrar of the Bureau of Vital Statistics from 1914 until 1946.¹⁶ He was thus in a central place in the state apparatus to monitor, track and challenge racialized identities in records of births, deaths, and marriages, and to respond to queries about "race" submitted by local and state officials as well as private individuals. This represents an aspect of modernizing systems for surveillance of Virginia's citizens, at a time not long after the commonwealth had strengthened other aspects of the Jim Crow state, including the disfranchisement of African Americans. In 1918, a new state law further augmented this centralization and Plecker's reach. That law specified, among other things, that Virginia's auditor of public

¹⁵ Brian William Thomson, "Racism and Racial Classification: A Case Study of the Virginia Racial Integrity Legislation" (Ph.D. diss., University of California, Riverside, 1978), 87, 202-3.

¹⁶ Paul A. Lombardo, "Miscegenation, Eugenics, and Racism: Historical Footnotes to *Loving v. Virginia*," *University of California-Davis Law Review* 21(1998): 427-428.

accounts provide the Bureau of Vital Statistics with copies of all reports of marriages, births, and deaths filed by law with the auditor. Then, responding in part to the gaps in records held by the state for births and deaths in the 1896-1912 period, the 1924 “racial integrity” law went further, and authorized a voluntary registration program, intended to identify Virginians by race, as racial categories were newly defined in that law. As a result, though intended primarily to deal with “miscegenation,” the 1924 law also authorized a potential means of documentation that could be used, for example, for purposes of getting a passport or certifying that an individual was of age to enter the work force, by individuals who had not had a birth certificate issued at the time of their birth in the period between 1896 and 1912. In this way, Plecker’s efforts, and the 1924 law, represent a program to regularize state record keeping on Virginians’ racialized identities and on the state’s demography. As a physician, Plecker had concerns and experience in the field of public health, and the systematic access to official state records that he gained surely added to his credibility when he publicly espoused eugenic views.

Plecker’s medical background complemented Earnest Sevier Cox’s claims to ethnological expertise when the campaign for the 1924 law got underway. Cox began quite early promoting some of the separatist ideas that would inform the campaign for Virginia’s 1924 “racial integrity” act. A draft letter of 1907 indicates Cox’s interest as a student in the “social and political sciences,” and his desire to write “his thesis on the condition of the Negro under other governments” and to investigate “the development of the race problems in the European colonies and also [be?] acquainted with the general conditions of the native.”¹⁷ As early as 1906, he made a vitriolic recommendation that

¹⁷ Earnest Sevier Cox to unnamed correspondent, 1907, box 1, Earnest Sevier Cox Papers, William R. Perkins Library, Duke University.

African Americans face deportation, in a letter to his sister and her husband in Atlanta written in the wake of what he called the recent “race riot” in that city.¹⁸ Cox was apparently aware of the nineteenth-century scientific-racialism debate about whether the races all stemmed from a common human ancestry. While he distanced himself from early nineteenth-century ideas about human polygenesis, he said that “...from many evidences we may assume that the differentiations, at least with regard to the primary stocks of man, had their beginnings in the very remote past.”¹⁹ During his World War I service, Cox worked on a manuscript he called “Decay of Culture” (which seems to have been the first version of his *White America*), apparently in the hope of gaining public interest and political influence for his ideas about “repatriation.”²⁰ In attempting to interest major publishers in this book, Cox wrote that

recent violent symptoms of race discord between the blacks and the whites should do much in preparing the national mind for a solution of the negro problem as is here proposed, for it is evident that race friction will grow more intense with the increase of the races.

Cox admitted the practical difficulties of his “repatriation” scheme, but expressed confidence that with federal support his proposal could be carried out. As evidence of the feasibility of such a project if backed by government power, he cited his World War I experience with the Army Embarkation Camps in France, to show “the adaptability of the principles of military movements to the rapid and orderly movement of civilian populations.”²¹ (Cox also contacted a man connected with the American Colonization

¹⁸ Earnest Sevier Cox to Mr. and Mrs. E.D. Pines, 29 September 1906, box 1, Earnest Sevier Cox Papers.

¹⁹ Earnest Sevier Cox to Alliance of Colored American Citizens of the United States of America, 7 July 1924, box 2, Earnest Sevier Cox Papers.

²⁰ Earnest Sevier Cox to Mrs. E.D. Pines, 30 January 1918, box 1, Earnest Sevier Cox Papers.

²¹ Earnest Sevier Cox to G. P. Putnam’s Sons (“Mr. Putnam, the younger”) 20 November 1919, box 1, Earnest Sevier Cox Papers.

Society to interest them in his manuscript.²²⁾ In a sense, Cox placed his scheme against the backdrop of racialized violence in that period when he acknowledged urban race “riots;” perhaps the lynchings of the time were also on his mind. At the same time, he placed his proposals within the context of the growing power and reach of government in progressive-era America.

Cox was also aware of the campaign that eventually led to the eugenically-inspired 1924 national law mandating new and more restrictive immigration quotas. By 1920, Cox was corresponding with a supporter of that law, the wealthy New York lawyer and eugenics advocate, Madison Grant, author of *The Passing of the Great Race*. Grant’s eugenic crusade was primarily against immigration into the United States of people he considered eugenically unfit, but he remained for years a supporter, if behind the scenes, to Cox, Plecker, and Powell in their efforts to cordon off blacks and Indians in Virginia. In their correspondence, Cox talked to Grant about “exclusion and removal” of blacks from the United States, appealing to Grant by suggesting links between “problems” of recent immigration and the nation’s African Americans, and saying his book attempted to describe the “negro problem” as “a phase of a world-wide and age-old color problem.” While at other times his friends spoke of Cox’s southern-white identity in an attempt to bolster what they perceived as his credibility in speaking about racialized issues, here, in talking to a northerner, Cox indicated awareness that the nature of his manuscript’s proposal was such that his book might be more readily criticized, precisely because it was the production of a white southerner, as “harsh and adversely critical of the negro.” Cox sought at that moment to get Grant’s endorsement of his book. Illustrating his desire for more recognition, his need to flatter Grant, and Grant’s fame, Cox said that in his

²² Henry L. West to Earnest Sevier Cox, 13 December 1923, box 1, Earnest Sevier Cox Papers.

contacts to discuss his ideas with Richmond College faculty, they were impressed that Grant had agreed to read Cox's manuscript. Apparently, the faculty knew of Grant at that point as contributor of an introduction to Lothrop Stoddard's *The Rising Tide of Color Against White World-Supremacy*.²³

Cox in one letter to Grant remarked on a recent public gathering of the Ku Klux Klan, saying that he himself was "opposed to any secret organization of this nature" and that "There is much opposition among conservative Southerners to the attempt to revive the Ku Klux Klan...." However, sensing a strategic opportunity, Cox went on to say that nonetheless, Klan activities might "force the negro problem to the immediate attention of many people in the South" and that his proposal's "peaceful methods" might "get a better hearing" as a contrast to the Klan's methods.²⁴ Grant responded

I am interested in seeing the revival of the Ku Klux Klan all over the country. I think they should be approached with a view to spreading the proper kind of information on the relations of the races throughout the country. Do you happen to know how they could be approached?"²⁵

Whether Cox and Plecker and Powell were closely tied to the Klan, and exactly how any links operated, seems somewhat unclear, but there is evidence in Powell's papers that he was friendly with at least one prominent Virginia member of the Klan.²⁶ Douglas Smith notes that in 1922 the Richmond chapter of the Klan voted to leave the national Klan organization and join Powell's Anglo-Saxon Clubs.²⁷ Perhaps Cox's aspiration to identify as a "conservative Southerner" of a certain class would have been at risk, had he linked himself publicly to the Klan. Perhaps, on the other hand, Cox actually

²³ Earnest Sevier Cox to Madison Grant, 6 December 1920, box 1, Cox Papers.

²⁴ Earnest Sevier Cox to Madison Grant, 6 December 1920, box 1, Cox Papers.

²⁵ Madison Grant to Earnest Sevier Cox, 12 January 1921, box 2, Cox Papers.

²⁶ See, for example, W. Clyde Maddox to John Powell, 3 May 1931, box 40, Powell Papers.

²⁷ J. Douglas Smith, *Managing White Supremacy: Race, Politics, and Citizenship in Jim Crow Virginia* (Chapel Hill and London: University of North Carolina Press, 2002), 79.

regarded himself as a “scientific” progressive on “racial problems” just as much as a southerner who recognized that many Americans found southern whites’ racialized violence troubling.

In any case, Cox’s search for eugenic allies was broad. He looked for support not just from white supremacists and eugenicists such as Grant and Lothrop Stoddard. By 1923, Cox wrote to a friend that competition for jobs fostered by mechanization was so serious that only “selfish” whites would argue against a plan to restore “the Negro to the homeland of his ancestors and establish him in independence and plenty.” He referred to comments by Marcus Garvey on the likelihood of growing “competition of the races” to suggest that someday “both races” would seek “repatriation.”²⁸ Madison Grant subsequently suggested that Cox get in touch with Garvey “as it might be worthwhile to back his proposition.”²⁹ By at least June, 1925, Cox was in direct correspondence with Garvey.³⁰ The rhetoric of Garvey’s United Negro Improvement Association about separation of the “races,” rhetoric which at times sounded eugenic notes, apparently suggested to Cox that Garvey could be sympathetic to at least some of his ideas about “racial purity.” Perhaps Cox also thought Garvey’s support would make his proposals for “repatriation” seem less draconian. Either way, Cox’s ambition and his argument reached beyond “miscegenation,” and he worked to contact to people who might share at least some part of his ideas about racialized separatism—even black Americans who might be repatriated as well as whites who favored segregation.

Lothrop Stoddard congratulated Cox on passage of the 1924 “racial integrity” law in Virginia, but seems not to have taken steps to become more closely and publicly

²⁸ Earnest Sevier Cox to Will Buford, 19 December 1923, box 2, Cox Papers.

²⁹ Madison Grant to Earnest Sevier Cox, 18 March 1924, box 2, Cox Papers.

³⁰ See, for example, Earnest Sevier Cox to Marcus Garvey, 8 June, 1925, box 2, Cox Papers.

associated with him and Powell and Plecker.³¹ Cox continued pamphleteering, corresponding, and speaking for his ideas about colonization for many years after the 1924 law passed. In his attempts to sway a broad array of audiences, he claimed that his notions about “repatriation” were similar to views expressed by Abraham Lincoln, Thomas Jefferson, and Henry Clay, among other white luminaries.

While Cox spoke about what he considered international aspects of, and long-term “solutions” to, the “problem” he and other white supremacists and eugenicists thought they had identified, he and Plecker and Powell most effectively focused on “race” in Virginia. By 1923, the three were involved in a public relations campaign advocating “miscegenation” legislation along the lines of the law that finally passed in 1924. Their offensive included articles in the major white-run Richmond newspapers and the formation, largely credited to Powell, of a network of groups called Anglo-Saxon Clubs.³² Virginia Indians were on their minds in advocacy for the 1924 “racial integrity” law. Powell’s papers include a transcript of the January 20, 1843 petition from whites of King William County to the Virginia state legislature, in which the petitioners claimed the reservation peoples’ histories of relationships with blacks meant they could not be considered really Indian. Apparently, Powell regarded this petition as an authoritative judgment to cite in making the case that Virginia’s Indians were so “mixed” as to be on the black side of the “color line.” Powell also had in his possession a copy of the “U.S. Census Estimate of Indians in Virginia, vol. III, 1920 Population,” which included figures on Native population for 1900 and 1910 as well as 1920.³³

³¹Lothrop Stoddard to Earnest Sevier Cox, 25 March 1924, box 2, Cox Papers.

³²See Sherman, “The Last Stand,” 74-77, for a more complete description of the Anglo-Saxon Clubs and their activities.

³³Papers of John Powell, box 38, Small Special Collections Library, University of Virginia.

As early as 1923, the public face of this campaign included cautions about race “mixing” that sounded an alarm about the “threat” to white racial purity from immigration and from non-white peoples generally, not just from African Americans but also Native Americans. The backers of the 1924 “racial integrity” law conjoined ideas about immigration popularized by eugenics-inspired authors such as Madison Grant and Lothrop Stoddard with more specifically southern “problems” of racially “mixed” native-born people. When the “Anglo-Saxon Clubs of America” formed and in 1923 launched into the public campaign that culminated in the passage of Virginia’s 1924 “miscegenation” law, immigration was among their stated concerns. The Anglo-Saxon Clubs of America adopted a constitution that said the club stood for “...the wise limitation of immigration and the complete exclusion of unassimilable immigration...,” for “the preservation of racial integrity; [and] for the supremacy of the white race in the United States of America, without racial prejudice or hatred....” This public avowal of white supremacy, for Plecker, Powell, and Cox and the Clubs, needed to be couched as if it were not simply a matter of southern white “prejudice” toward African Americans. Presumably, the Clubs thought that by denying “hatred” they might avoid, in the perceptions of audiences outside the South, being lumped with the program of the Ku Klux Klan. This disavowal of “prejudice or hatred” seems best understood as a link to a complex web of racialized belief systems and images in America at that time, including: class anxieties; a desire to appear separated from the most violent aspects of American racism; and a desire to portray a racist program as based not in personalized animosities but rather in institutionalization of racism for the good of “civilization” as a whole. This last factor reflects one of the ways whites, historically, have attempted to make

racialized discrimination, poverty and economic and political disfranchisement appear normal, rational, reasonable, and maybe scientifically based, and in a sense derived from “non-point” sources, so that white “supremacy” could survive attacks on individual racialized emotional “prejudice.” The Anglo-Saxon Clubs announced their development of a petition intended for the Virginia legislature urging legal action for:

- a “system of registration and birth certificates showing the racial composition (white, black, brown, yellow, red) of every resident of the state;”
- restriction of marriage certificates to those possessing and presenting a registration/birth certificate;
- a renewed commitment to the idea that “White persons may marry only whites” based in the proposition that whiteness meant “no trace whatsoever of any blood other than Caucasian.”

The law as passed in 1924 included a system for registration as a voluntary, not mandatory, provision, but it did adopt essentially the definition of whiteness proposed here.³⁴

As explained in an article published in the *Richmond News Leader* on June 5, 1923, the Clubs sold this program as the Clubs’ response to a “wave of patriotism that swept over the country during the world war” as the stresses of the war and the ensuing peace “displayed in a relentless glare certain deficiencies and weaknesses” that involved new immigrants, the “intensification of racial frictions and animosities” and “the rapid breakdown of the traditional American virtues and principles.” The article advocated “intelligent selection and exclusion of immigrants” and “fundamental and final solutions to our racial problems in general, most especially of the negro problem.” The “Asiatic problem” on the West Coast does also rate a mention in this text. Perhaps this

³⁴ Papers of John Powell, box 38, Small Special Collections Library, University of Virginia. The Anglo-Saxon Club constitution and newspaper pieces cited here were reprinted in a pamphlet included in Powell’s papers.

positioning of immigration and race as a “general” national issue reflects a continued desire by Cox and Powell to garner support from Northern eugenicists for their proposed legislation. It certainly seems to reflect their understanding of then-current popular eugenic rhetoric that supported the passage of the federal legislation in 1924 providing for a new round of highly restrictive immigration quotas. It is not entirely clear to what extent Powell and Plecker shared Cox’s commitment to arguing about the international dimensions of the “problem” of race, but they certainly were thinking strategically about how to get broad support for their proposed eugenic approaches to race in Virginia.³⁵

One can also imagine that the glamour of successful upper-class northern professionals like Madison Grant had some influence in Cox and Plecker and Powell’s apparent decision to link racial “purity” in Virginia to immigration. If not precisely anxious about their own class standing, they might have felt that echoing Grant’s program on immigration was a way to burnish their credentials for speaking publicly about the racial issue they considered most pressing for Virginia. Like the Anglo-Saxon Club’s constitution, this *News Leader* article stresses that the Clubs stand opposed “to all religious hatred and intolerance, as well as to racial prejudice.” It is hard not to read the reference to religion here as a way of distancing the clubs’ agenda from the Klan’s anti-Catholicism and, perhaps, its anti-Semitism. This raises questions about how much this statement was calculated to appeal to northerners (and southerners) who were put off by Klan violence, and how much it reflected the author’s sense of an appropriate stance for a man of his class.

³⁵ Papers of John Powell, box 38, Small Special Collections Library, University of Virginia. The Anglo-Saxon Club constitution and newspaper pieces cited here were reprinted in a pamphlet included in Powell’s papers.

Probably partly to strike a “moderate” pose that would be attractive to non-southern audiences, the article downplayed the radical change that the proposed new definition of whiteness could mean. Since Virginia already had “miscegenation” laws on the books to mandate in effect that whites marry other whites, the article claimed, the new legislative proposal was “not revolutionary nor even novel.” (Plecker in particular would later say that a codification into law of a “one drop” definition of whiteness and blackness was indeed a significant change.) The newspaper piece asserted that “The proposed definition of the term ‘white persons’ constitutes merely the legal recognition of the general consensus” and an extension of Virginia’s trend toward legal definitions of blackness in increasingly more stringent blood-quantum fractions.³⁶

The article did, though, include an alarm that Plecker and Powell and Cox continued afterward to sound repeatedly: that action was urgently needed, because “Even under the present law, racial admixture is rapidly spreading... if the color line is to be maintained, even temporarily, it must be made absolute.” The absolute nature of the “threat” as described here is that “...no race has every maintained its civilization when tainted even slightly with African blood.” Here, again, the backers of the 1924 law melded older strains of “scientific” racism with newer popularized eugenic references. Another aspect of their strategic thinking also surfaced here, as it would in ensuing years: the article suggested that “the impossibility of an immediate final solution of the negro problem necessitates legislation that will ensure us a breathing space pending the final solution.”³⁷ Presumably, the reference here is to some form of “repatriation” and

³⁶ *Ibid.*

³⁷ *Ibid.*

colonization of African Americans, preferably voluntary. For a post-Nazi-era reader, the term “final solution” is more than chilling.³⁸

An example of John Powell’s public advocacy for the ideas behind the 1924 law, and of his use of eugenically-based language, is a piece he wrote that the *Richmond Times-Dispatch* published on July 22, 1923. Here, he appeals to “history, ethnology, and botany.”³⁹ This shows him drawing from multiple strands of racialized thinking. On one hand, his inclusion of history in this piece invokes Peggy Pascoe’s observation that for racialists of the nineteenth century, even the “scientific” ones, “race” was a complex mix of biological, cultural, social and psychological properties that could best be understood as “indivisible” and as a major element influencing histories and societies.⁴⁰ In this article, Powell also, though, used a heavily biologized language to talk about his racial thinking. Insisting that “one drop of Negro blood makes the Negro,” he went on to contend that “In this conviction there is nothing defamatory or derogatory to the Negro, but merely the recognition that under the laws of heredity, he is a predominant strain.” Therefore, Powell argued, the danger of racial “crossing” was imminent and long-term, and dire. He said “It is true that there are fewer hybrids of the first crossing than formerly. But we have no assurance that this decrease will remain constant.” Besides, in Powell’s eyes, the greatest “danger” was not the “first crossing” but “from individuals of dubious racial purity” who might more easily slip across the “color line.” It seems likely that here he was thinking of a variety of supposedly “mixed” groups, including Virginia

³⁸ See Sherman, “The Last Stand,” 70, for a discussion of some white Virginians’ fears about whether the “mixed” population in Virginia was increasing, and about whether more African Americans were successfully “passing” as white.

³⁹ Papers of John Powell, box 38, Small Special Collections Library, University of Virginia. As noted, the Anglo-Saxon Club constitution and newspaper pieces cited here were reprinted in a pamphlet included in Powell’s papers..

⁴⁰ Peggy Pascoe, “Miscegenation, Law, Court Cases, and Ideologies of ‘Race’ in Twentieth-Century America,” *The Journal of American History* 83 (1996): 48.

Indians, but he went on to explicate more fully the reference to newer immigrant groups that had been mentioned in the June 5 *News Leader* piece. Powell said such groups might be more likely to “intermarry” because they were possibly “more deficient in the pride of racial integrity than our native stock. Moreover, it is undeniable that the Negro as a whole is becoming whiter.” Here, Powell may have been suggesting that learned behaviors and cultures, in addition to biology, may be integral to racialized identities. If so, in this piece, Powell perhaps attempted to pull back somewhat from more extreme declarations about the “inferiority” of non-white peoples, but at the same time he pointed to such people as a grave threat to “Anglo Saxon civilization in America.” “Undesirable and unworthy” immigrants, in his view, should be barred from the United States, but other immigrants deserved “the opportunity to become one with us in fact as well as theory.”⁴¹

Powell seems to be trying to accomplish at least three things here at once. One is that by disclaiming any intention to be “defamatory or derogatory” toward African Americans, he was perhaps again trying to distinguish himself and his colleagues from the rawer rhetoric of groups like the Klan. Second, he perhaps tried to continue the campaign to gain support from Northern eugenicists like Madison Grant by supporting their ideas about immigration, even though Virginia at that time had relatively few immigrants. Third, in suggesting that non-black immigrants could be generally more assimilable, he seems in tune with the growing tendency in the United States, described by Matthew Frye Jacobson, to view race most importantly as a black-white divide rather

⁴¹ Papers of John Powell, box 38, Small Special Collections Library, University of Virginia. As noted, the Anglo-Saxon Club constitution and newspaper pieces cited here were reprinted in a pamphlet included in Powell’s papers.

than as a multiplicity of separate and varied racialized “stocks” that could be scientifically defined. Powell said

The term ‘Anglo-Saxon’ is used in no narrow racial sense, but rather in a cultural sense. Ethnologically, the term has no right to existence. In fact, there never was an Anglo-Saxon race. But there is no doubt in the mind of any as to the meaning of the words “Anglo-Saxon Civilization.”⁴²

Here again, it seems that Powell attempted to address what Peggy Pascoe has described as a “modern split between biology and culture” by straddling a line between those two concepts, but in the service of “white supremacy.”⁴³

Whether or not Powell, Cox and Plecker were concerned about the clarity of their own class status as this public discussion unfolded, their general concern about class as a dimension of the racial and eugenic “problem” might have been exacerbated by comments such as that in a letter from Madison Grant to Powell:

It is the insidious increase of the mixed breeds in the lower strata of society which has heretofore undermined and ruined many white civilizations. The process goes on subtly, scarcely noticed, but ultimately pushes its way into the upper classes.

Even more relevant for this discussion, Grant’s letter linked the “problem” to Native American as well as African and African-American people. He went on to say that “When the crossing of races is condemned by the law of the land, such mixture as takes place is between low-grade whites and Negro or Indian women. In this last case, the offspring are regarded as members of the inferior race—at least, in Anglo-Saxon Communities.”⁴⁴

⁴² *Ibid.*

⁴³ Pascoe, “Miscegenation Law,” 48.

⁴⁴ Madison Grant to John Powell, 1 February, 1924, box 39, Papers of John Powell, Small Special Collections Library, University of Virginia.

Earnest Sevier Cox also wrote for the newspapers in the early stages of the campaign for Virginia's 1924 law, often emphasizing his version of historical and cultural issues, and he sometimes received billing as a "Word-Famous Ethnologist." Speaking of the Anglo-Saxon Clubs' petition and program, in an article published on July 22, 1923, he called it

the expression of an ideal, for it would prove to be literally impossible to perfectly segregate the whites. We have with us in increasing numbers Brazilians, Cubans, Porto Ricans, San Domingans and other Latin-Americans, many of whom possess colored blood.... Civilization issues from the white race and in preserving the white race we preserve civilization....

Here Cox was more forthright about what he considered the hierarchy of races than Powell perhaps was willing to be at this moment in public. Cox also clearly specified his greatest fear among the varied racialized "threats" he perceived: "... our grave danger lies in the absorption of the blood of the negro rather than in the absorption of the blood of the yellow and red races. There is no doubt that the blood of the negro is prepotent when mixed with the blood of the of any other race." The resulting "reversion" reflects "a well-known biologic law, and arises from the fact, that the negro is the most primitive and generalized type of man." Here, Cox, like Powell picked up a part of a vocabulary about biological heredity so central to eugenic thinking, though he claimed credentials as an ethnologist rather than a geneticist. Cox wrote in support of the Anglo Saxon Clubs petition's proposed absolutist definition of whiteness, but he also suggested the possibility that

...practical politics will probably differentiate between the various colored races. It may prove to be advisable to classify an individual of one-eighth or less of the red or yellow race as 'white.' Especially is this true of the Indians of the Cherokee type, who according to capable ethnologists, are probably either a part of or closely related to the white race....our chief danger is not from that source.

Cox's attempt here to make concessions to "practical politics," as it turned out, was not a major factor in the campaign for a "racial integrity" law in Virginia. (Walter Plecker in particular became increasingly dogmatic over the years in his insistence that almost every Virginia Indian had at least "one drop" of black "blood.") Cox closed this article on a familiar absolutist note, though: "amalgamation or separation," he said, are the only "two solutions to a race problem."⁴⁵

An accompanying Richmond *Times-Dispatch* editorial of July 22, 1923, added an oracular-sounding warning: "In the South we have fought for supremacy, that being the pressing, urgent issue, forgetting the more insidious, less apparent problem of integrity. In securing the one we have been too apathetic in preserving the other." In thus lending its support to the Anglo-Saxon Club proposals, the newspaper distinguished between political power (which it reassured its readers was safely in hand for white Virginians) and racialized "integrity" which presumably referred to a complicated social, biological, and cultural "problem." In a way this editorial complements Powell's contention, in his July 22 piece, that the Anglo-Saxon Clubs sought "to arouse, to awaken, the mind and conscience of our people, to cause a general realization of the true state of affairs as it exists in the present and the recognition of the unspeakable threat with which the future is pregnant." Should the weakening of "racial and caste distinctions" and the "dissemination of negro blood" continue, Powell had said, over the next thirty years "effective political action will be impossible." This warning came in spite of the fact that Virginia already had strong criminal "miscegenation" law on the books, and the fact that,

⁴⁵ Papers of John Powell, box 38, Small Special Collections Library, University of Virginia. The Anglo-Saxon Club constitution and newspaper pieces cited here were reprinted in a pamphlet included in Powell's papers.

some decades previously, the state had effectively disfranchised almost all of its African American citizens. In this way, Powell used eugenic thought to link the “problem of integrity” to white supremacist politics. He attempted to provoke whites who might otherwise feel comfortable that their political “supremacy” was safe, and to rouse them to immediate action, while disclaiming any intention to be “categorical or dogmatic.” Again, here Powell seemed eager to portray himself as possessing a certain decorous bearing appropriate to his conception of his class status.⁴⁶

Walter Plecker also had his say, as the head of the state’s Bureau of Vital Statistics, in the pages of the Richmond *Times-Dispatch*, in a statement that appeared on August 4, 1923. Here, Plecker took the opportunity in his official capacity to talk about some “communities in Virginia which have perplexed us greatly.” In his search, as an officer of the state, to impose a certain kind of classificatory racialized order on Virginia’s citizens, he had encountered people who were, at least potentially, in a position to challenge the idea that everyone stood on one side or the other of a black-white color line. Among those were people in Halifax County (part of a community that extended across the state border into North Carolina), another group in Amherst and Bedford Counties, and some people in Greene County. The Halifax group he described as “a tribe of people of mixed descent which gave us trouble at first to classify.” According to Plecker, these Halifax people were not accepted by whites and did not associate with blacks. (While in rural Virginia at this time it probably was possible for a community to maintain some kinds of social insularity, it seems more than likely that this particular situation was, racially, far more fluid than Plecker represented here.) For the Halifax

⁴⁶ *Ibid.*

people, he said, “We have compromised upon the term ‘Indian’ and admit them thus to the record.”⁴⁷

For Plecker, then, “the record” was a way to try to define, discipline, regularize, and regulate both individual and community identities in a society where racialized identities could be far from clear to outsiders. Both individual and group identities, though, were more complex than he could admit, given his racist and eugenic program. (Plecker would later lament his willingness to compromise in this Halifax group’s case.) Plecker’s recognition of the potential confusion is reflected in his statement that “They are swarthy in appearance, resembling closely neither the white nor the colored race.” Though he used the word “tribe” to describe the Halifax people, it may be that he had in mind a very general sense of that word. Plecker at this time applied the word “Indian” in a grudging way that suggests he recognized that his enterprise depended upon building a shared belief in the finality of “the record.” Here, Plecker had to acknowledge the difficulties of officially classifying the population on clear racial lines, despite his eugenics-inspired colleagues’ insistence that the genetic and eugenic questions were scientifically clear. He fell back, in a sense, on some older methods of racialized classification: physical characteristics thought to be indicators of race; and community associations. Especially among the Amherst and Bedford County communities, as a state official Plecker was concerned about inconsistencies and ambiguities in official racialized classifications up to that time, as for example within a family in which some children had been labeled white and some “colored.” Plecker reported:

A puzzling situation arises when births are reported, the parents being married (probably in other states) though of different colors. As it is a violation of Virginia law for white and black to live in marriage relations, I always report such

⁴⁷ *Ibid.*

cases to the commonwealth's attorney of the county. None of these officers has brought the cases to court.⁴⁸

He responded to the untidy situation in Halifax in a way that seems to indicate great confidence in his power as a state official and in his eugenic mission. Perhaps anticipating victory in the State legislature on the proposed new and absolute definition of whiteness that would be enacted in 1924, Plecker said he had written to officials in both counties to ask that they “unite and decide the status of these people,” and that they not classify “these people” as white “if they have even a trace of negro blood on either side.” This seems an extraordinary request, given that State law had not yet changed. It also seems that Plecker was aware not only that old state vital records, physical appearance, and community reputation and associations could be among the best evidence he could muster in his fight to classify Virginians racially, but also that that evidence might not always be clear or convincing to people locally on whom he had to rely for information and enforcement. Later, Plecker devoted considerable attention to this Halifax community.⁴⁹

As the story of enforcement of the 1924 “racial integrity” law unfolded, there continued to appear a gulf between the certainty generally expressed by Plecker, and the ways in which events, people, and evidence told individual and ambiguous stories that would have undermined the confidence of a less convinced and racist man. Plecker's certainty was displayed in his effort to create an aura of rationality and objectivity around his rhetoric of eugenics and “scientific racism,” in his assertions that his historical, genealogical data admitted of only one interpretation in any given case, and in his belief that what he was doing was for the greater eugenic good.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

The campaign by Powell and Plecker and Cox did bear eugenical fruit in the spring of 1924, when the General Assembly passed and Governor Elbert Lee Trinkle signed the “racial integrity” law. Powell was particularly visible in his public support of the “racial integrity” bill; he even addressed the General Assembly.⁵⁰

Another eugenically inspired law passed by the Virginia legislature that year permitted involuntary sterilization of individuals in State institutions considered eugenically “unfit.” Though Powell and Plecker and Cox were so familiar with, and made extensive use of, eugenic thinking of the time, it is not clear to what degree they took an interest in this other aspect of the eugenics campaigns of their day. Paul Lombardo and Brian William Thomson have noted that Plecker recommended sterilization of at least one white woman who bore “mulatto children.”⁵¹ This suggests that Plecker was primarily focused on race, rather than on other aspects of eugenic belief systems.

The 1924 “miscegenation” law as passed differed somewhat from the program laid out by the Anglo-Saxon Clubs. Two changes seem most relevant for Virginia’s Indians. First, the initial proposals that the Clubs promoted had included a provision that every resident of Virginia have a certificate attesting to their racial identity as race was defined in the new law. In the law that passed, that provision was replaced by one that made such registration optional rather than mandatory. Plecker in later correspondence would take credit for saving the legislation, when the idea of mandatory registration encountered opposition in the legislature, by offering, at the last minute, that optional

⁵⁰ Sherman, “The Last Stand,” 77-78.

⁵¹ Lombardo, “Miscegenation, Eugenics, and Racism,” 438; Brian William Thomson, “Racism and Racial Classification,” 269.

registration could be substituted for a mandatory system.⁵² Second, the first version of the bill had proposed that the rule for being legally white applicable to people of Indian and white “blood,” be set at one-sixty-fourth, rather than one-sixteenth, “Indian blood.”

Having achieved their objective of defining whiteness legally in ways consistent with a “one drop” rule, Powell, Plecker and Cox continued pursuit of their eugenic mission in varied ways. Cox continued to press for colonization of African Americans. Plecker as a state official and Powell as a public figure pursued more immediate concerns and strategies, while continuing generally to support Cox. Their efforts can be roughly grouped in several broad categories. They worked (a) to seek legislative refinement of the 1924 law to amend what they considered flaws in it; (b) to ensure that the law was enforced in individual cases, as legal challenges to the law arose in State courts and through contacts with local officials such as county registrars; (c) to continue to publish articles and pamphlets justifying the law and its fundamental purposes and seeking to ensure public support for its enforcement; and (d) to advocate that similar laws be passed in other states and the District of Columbia. Plecker, Cox, and Powell’s campaign was a long one, and continued for decades; the remainder of this chapter will focus on their activities in the immediate wake of the passage of the 1924 law.

After the 1924 law passed, the Virginia legislature, urged on by Powell and Plecker, worked at various times to refine that law’s provisions. In response to some of the bills, Native people and some legislators expressed concerns about the potential effects on Virginia Indians. In 1926, a bill that would have further tightened the

⁵²Walter Plecker to Dr. C.W. Garrison, 5 January 1925, box 41, Powell Papers.

definition of who was Indian in Virginia failed to pass, in part because of opposition from whites concerned that it would re-classify as “colored” some prominent white Virginians who claimed distant Indian ancestors such as Pocahontas.⁵³ In 1928 came further legislative debate about proposed revisions to the definitions of race categories, to make the definition of “Negro” in Virginia law complement the definition of whiteness in the 1924 law. In the course of those deliberations, Chief George Cook of the Pamunkey reportedly declared to the state Senate’s Court and Justice Committee “I will tie a stone around my neck and jump in the James River rather than be classed as a Negro.”⁵⁴ Chief Cook’s outcry may be read both as an indication of how strong pressures on Virginia Indians were after 1924, and as his public acceptance of the idea of a hierarchy of races in which African Americans were at the bottom.

In this way, legislative discussions gave Virginia’s reservation group leaders additional reasons and opportunities publicly to reject the idea that their communities had significant historical connections with African Americans. In a sense, by so doing these leaders accepted white’s arguments about the importance of racial “purity.” Louise Burleigh (who married John Powell) reported that at one such debate a legislator stood up to say that “This bill is aiming at one thing and one thing only: to humiliate and oppress the remnants of the Indian tribes who have dwelt peacefully among us for so long.” In the estimation of Louise Burleigh Powell, issues surrounding legal identities of Virginia Indians, and “Indian sympathy” among the lawmakers, were significant factors in the legislature’s deliberations at that time. She reported, for example, that when one legislator asserted that the bill under consideration would not affect any Indian in the

⁵³ Brian William Thomson, “Racism and Racial Classification,” 235-236.

⁵⁴ Brian William Thomson, “Racism and Racial Classification,” 241. [or see “Chief Cook’s Lament,” Richmond *Planet*, 11 February 1928]

state, another lawmaker responded “Oh! They seem to think it would.”⁵⁵ Virginia’s Native people, then, were doing advocacy work and making their case directly to state legislators. The Powells and Plecker, for their part, were actively monitoring, and providing advice about, these debates.

Plecker, as the Virginia government official most closely connected with the implementation and enforcement of the 1924 “racial integrity” law, noted many times that carrying out that law appeared to him an overwhelming task, and that the provision for voluntary registration had, in his opinion, somewhat backfired. He came to think that individuals most likely to try to register under the law included people whose racial identity was, at best, ambiguous, and that some individuals seeking registration did so only and specifically to try to cross over the official “color line” into whiteness. Native people in Virginia were foremost in his mind in making this complaint. For example, Plecker wrote to the editor of the *Times-Dispatch* that after the 1924 law passed,

As there were already in the State some half dozen groups of people claiming most vociferously that they were ‘Indians,’ and as individual families began to spring up all over the State making the same claim, our office was compelled to take up the rather difficult task of classifying, as to race, this population, totaling nearly two thousand.

He said that “old” vital records dating back as far as 1853 that documented the “colored” status of some of these people admitted of only one interpretation: anyone labeled at any time “colored” or “mulatto” was black, and so were their descendants, despite the fact that such racialized terms could be used by officials loosely and inconsistently. Plecker said that the information in those old records had been supplemented by “many responsible citizens of the localities where these people, claiming to be Indians, live.”

⁵⁵ Louise Burleigh (Powell) to John Powell, n.d., box 40, Powell Papers.

Despite Plecker's emphasis on the scientific-sounding vocabulary of eugenics, and his claims about the accuracy of nineteenth-century vital records data that he had assembled, he also sought the support of testimony about community reputation. He granted that the Pamunkey because of their reservation status had a settled historical recognition by the State as Indians, but suggested that if Bureau of Vital Statistics records were more complete, the Pamunkey also could also be exposed as "a composite race of black, white, and in most cases of a small amount of Indian admixture." He also quoted past statements in reports from the U.S. Bureau of Ethnology to support this claim. Shored up by old state vital-statistics records, by the institution of new and more centralized State record-keeping systems, by selective interpretation of older works of ethnography, and by his uses of local reputation, Plecker reaffirmed his conclusion that there was no reason to believe "that there are any native born Virginian Indians of unquestionably mixed blood, and none under our new law entitled to the privilege of intermarrying with white persons."⁵⁶

Having debated bills on the issue in 1926 or 1928, in 1930 Virginia's legislature did pass a new law to adjust the definition of blackness in Virginia law so that it matched the "any ascertainable" standard for whiteness in the 1924 law. They did this because the 1924 law had defined whiteness in an absolute fashion, but had not explicitly altered an older legal "one-sixteenth" definition for determining who in Virginia was a "colored person." Virginius Dabney of the Richmond *Times-Dispatch*, reporting on the 1930 legislative debates to the New York *Times*, noted that the bill was a response to a situation in which some "negroid" children were attending white schools and might even

⁵⁶Walter Plecker to Editor, *Times-Dispatch*, 28 April 1925, box 41, Powell Papers.

therefore ultimately gain entrance to white colleges and universities in the State.⁵⁷

Dabney reported that “The Indian question has given the advocates of racial integrity in Virginia more trouble than any other.” While Plecker claimed there were no “real” Indians in Virginia, Dabney said that

... the Indians have thousands of white friends in the State who feel that the redskins have suffered enough and that they should be left alone. When attempts were made in 1926 and 1928 to strengthen Virginia’s racial integrity law it was found that in one way or another the Indians would be adversely affected, and there was a great uproar. Similarly, the movement at the present [legislative] session to change the definition of a ‘colored person’ roused friends of the Indians, who felt that the Chickahomins and Rappahannocks, as well as various groups in Halifax, Amherst and Rockbridge Counties calling themselves Indians, should be excluded from the terms of the act, as well as the [reservation] Pamunkeys and Mattaponis.

Dabney reported also that Powell and Plecker countered with their by-now familiar argument that white “civilization” would be destroyed in the United States “unless the mingling of the white and negro races in this country is stopped at once.”⁵⁸ It does not appear that Virginia Indians or their “white friends” seriously questioned the racialized ideas underlying that premise; their goal was, rather, to situate Virginia Indians as separate communities made up of people who were not black.

Notwithstanding Dabney’s patronizing description, and Louise Burleigh Powell’s scorn, it is clear that Virginia Native groups spoke and acted on their own behalf in these struggles of the late 1920s about revising Virginia’s law after 1924, and they also enlisted whites (including attorneys) to support them. Louise Burleigh reported that “In the hearing before the Senate Committee, these people dressed in department store regalia,

⁵⁷ See notes on the history of defining a “colored person,” a typescript in box 38, Powell Papers, for more detailed discussion of what promoters of this bill thought about the proper reach of the 1924 law, why a new law was needed, the school situation, and how class factored into their vision of the history of “miscegenation” in Virginia.

⁵⁸ Virginius Dabney, “Virginia Takes Up Racial Integrity,” *New York Times*, 16 February 1930.

were much in evidence with their lawyers and sympathizing sentimentalists.”⁵⁹ Virginia Indians lobbying the General Assembly in these years used a variety of tools in their fight: not only publicly dressing and speaking as Indians, but also, Burleigh said, publicly arguing that they wanted “to intermarry only among themselves,” making “a show of excluding the negro,” raising money for legal fees and lobbying, providing white allies with “gifts of fish and game for words spoken on their behalf,” and cultivating “white sportsmen who in words at least accept them on their own claims.”⁶⁰

The Chickahominy leader E. P. Bradby wrote to Governor Trinkle criticizing Plecker’s proposals for new legislation, and a string of correspondence ensued. In an initial reply Trinkle assured Bradby of his willingness to help ensure that Bradby got a hearing before the appropriate legislative committee, announced his opinion that “no one would want to do the Indians of this State an injustice,” and coaxed Bradby with this: “The Indians have certainly given me no trouble since I have become Governor, and I hope they will continue to follow this course.”⁶¹ He wrote to Plecker about this exchange:

I do not know what you have in mind along this line, but I am sure you are going to be conservative and reasonable and not create any ill feeling if it can be avoided between the Indians of Virginia and the State government. From reports that come to me I am afraid sentiment is moulding itself along the line that you are too hard on these people and pushing matters too fast.⁶²

⁵⁹ Typescript “Racial Integrity Legislation,” apparently prepared by Louise Burleigh for a use as an editorial in a Farmville newspaper, and mailed to Powell on Feb. 28, 1928, box 38, Powell Papers. See the 1932 novel by journalist Roy Flannagan, *Amber Satyr* (Garden City, New York: Doubleday, Doran, and Company, Inc., 1932), for a satirical fictional account that draws on these legislative episodes, including Flannagan’s treatment of Indians in regalia visiting the State Capitol and the testimony they heard there.

⁶⁰ Typescript “Racial Integrity Legislation,” apparently prepared by Louise Burleigh for a use as an editorial in a Farmville newspaper, and mailed to Powell on Feb. 28, 1928, box 38, Powell Papers.

⁶¹ E. Lee Trinkle to Chief E.P. “Bradley”(Bradby), 1 December 1925, box 43, Trinkle Papers.

⁶² E. Lee Trinkle to Walter Plecker 1December 1925, box 43, Trinkle Papers.

Trinkle was at the same time careful to declare himself in sympathy with the goal of “racial integrity,” and he urged on Plecker not a halt, but rather “extreme caution and careful advancement.”⁶³ Trinkle, like many other elite white Virginians of his time, was anxious that the surface of Virginia’s segregationist regime appear unruffled.

The outcome of the debates surrounding the 1926, 1928, and 1930 legislative proposals was a 1930 law providing that

Every person in whom there is ascertainable any Negro blood shall be deemed and taken to be a colored person, and every person not a colored person having one-fourth or more of American Indian blood shall be deemed an American Indian; except that the members of Indian tribes living on reservations allotted them by the Commonwealth having one-fourth or more of Indian blood and less than one-sixteenth of Negro blood shall be deemed tribal Indians so long as they are domiciled on such reservations.⁶⁴

Apparently, the legislators thought that a “one drop rule” for defining what made a Virginian “colored” could be relaxed only in the case of Virginia’s Native people on reservations. At this moment, as a legal matter, the “one drop” applied to all Virginians except Natives, who still had to deal with one of two blood-quantum standards. The standard for Indians “domiciled” on reservations meant that reservation people risked losing their Indian identity, not because they had chosen a new identity, a new community, or a new way of life, or because they had somehow magically gotten new and different forebears, but simply if they moved out of one of the two State-recognized reservations.

It seems clear, then, that although the white proponents of the 1924 and 1930 laws were primarily concerned about African Americans “passing” and black “blood,” their

⁶³ E. Lee Trinkle to Walter Plecker, 4 December 1925, box 43, Trinkle Papers.

⁶⁴ Virginia Acts of Assembly, 1929-1930, quoted in Helen C. Rountree, *Pocahontas’s People: The Powhatan Indians of Virginia Through Four Centuries* (Norman, Oklahoma, and London: University of Oklahoma Press, 1990), 221.

efforts to foster eugenic legislation were shaped in important ways by the fact of the existence of people in Virginia who publicly claimed, built and maintained Native identities. Plecker, Powell and Cox took every advantage of this opportunity to tap both older strains of racialism and the current rhetoric of popular eugenics. They linked their crusade to racial segregation and disfranchisement, as the next necessary step for maintenance of white supremacy.

Enforcing the law, though, meant confronting the fact that there were in Virginia people whom even Plecker and Powell had to recognize as racially “mixed.” It was impossible to deny that people of “mixed race” existed in Virginia. If certain Virginians publicly claimed to be Indian rather than black or white, these claims, from the point of view of Plecker, Powell, and Cox, had somehow to be squared with the maintenance of a “color line” as a massive black-white divide. The 1930 law’s contorted provision making race, for some Indian people, dependent on place of residence, rather than community associations, biology, genealogy, or physical appearance, seems logically to undermine the eugenic arguments that Powell and Plecker and Cox had been making, if only at a rhetorical level. To retain a blood-quantum measure of Indian identity for Indians who had some African American “blood” but not for black and white Virginians, demonstrated that these legal definitions of race stemmed from issues of social, political, and economic power, not just from high-flown rhetoric about “racial integrity” and eugenics. Given the context in Virginia, it can be seen as a politically pragmatic move to suggest, as the 1930 law seems to do, that definitions of race might shift depending on place of residence. In some sense, this could be interpreted as serving to combine older racialized segregation and newer eugenic ideas about sequestration of the “unfit” in

institutions. Still, the 1930 law's provisions about Indians, like the 1924 law's "Pocahontas exception," publicly exposed the constructed rather than "scientific" or "natural" character of the legalized racial categories in Virginia law.

As opposition to enforcement of the 1924 law arose, and the legislative debates of 1926, 1928 and 1930 raged, Plecker in particular found himself forced to explain his stance repeatedly, sometimes framing his argument as rational in its racial absolutism, and at other times citing practicalities in support of what he saw as the necessity of maintaining white supremacy. As time went on, he became more rigid and strident in expressing his view that no one in Virginia was really Indian, but he was opportunistic about the evidence he used in making that argument, as we will see. On one hand, he was dealing with a variety of state officials and Virginians, including Indian people, and this meant dealing with ambiguous and "mixed" individual cases. It seems that Plecker became increasingly harsh in those in-state dealings with individuals as the years passed. On the other hand, when he advocated that other states adopt Virginia's stand on "miscegenation" and the dangers of "race mixing," he presented himself as completely confident about the science and the morality of his position. In those dealings, he made every effort to portray his stance as a coherent, logically integrated system, free of the practical "problems" he dealt with in his localized interactions with individuals and communities in Virginia as the State Registrar.

Even before the 1924 law passed, Plecker's correspondence shows that he had already involved himself in the business of policing racial classifications of individual Virginians. For example, he corresponded with a lawyer in early 1924 who apparently had requested, on behalf of their mother, birth certificates for children who "had been

suspended from the white schools, pending an investigation as to whether they were white or colored.” Names are redacted in the copy of this letter in John Powell’s papers, so it would be challenging to track the family involved to see whether they ever claimed an Indian identity, but some of Plecker’s later activities aimed against Native people are foreshadowed by his response in this case. He replied that “There is a very serious condition existing in many parts of Virginia caused by the mixture of the races as in this case. Our office is taking a firm stand against the admission of any individual as into the white race if they bear the slightest trace of negro blood.”⁶⁵ Thus, it appears Plecker was intent on enforcing his vision of an absolute definition of whiteness even before the legislature passed the 1924 “racial integrity” law.⁶⁶

Plecker faced multiple challenges in his crusade about legal racialized classifications in Virginia, not all of them local. The *News Leader*, for example, reported that Morris Fishbein, acting editor of the *Journal of the American Medical Association*, had publicly criticized Plecker’s efforts to enforce the 1924 “racial integrity” law. Fishbein said that no one knew a “certain method of determining when negro blood is present in a person, or how to determine just when the prospective infant of such a person will show it.” While in other settings Plecker displayed great confidence in his methods and the scientific basis for them, here Plecker was forced, if only for the moment, to acknowledge the inexact basis of his enforcement efforts. The *News Leader* quoted him as responding to Fishbein’s comments with this: “Dr. Fishbein’s statement in the *American Mercury*, wherein he ridicules Virginia’s enforcement of her racial integrity

⁶⁵ Walter A. Plecker to [name not apparent on this copy], 12 February 1924, box 41, Powell Papers.

⁶⁶ J. Douglas Smith has also commented on this, in *Managing White Supremacy*, 84.

law, is based on cold scientific facts and does not take in the human element.” The article reported that Plecker conceded that

Scientifically it would be impossible properly to enforce the law... but with the help of residents, physicians, and registrars throughout the state the problem is being met in a most satisfactory way. All of the cases, he said, will, of course, not be found, but three-fourths of the attempted intermarriages will be caught up with.⁶⁷

The nature of Plecker’s strategy appears here somewhat flexible. In this episode with Fishbein, when challenged about the science behind his beliefs by someone with medical credentials, Plecker exhibited a willingness to defend his policies and racialized ideas by falling back on the “human element.” It is evident that anyone in Virginia claiming a Native identity faced in Plecker an opponent who was quite dogmatic and determined, yet also capable of defending himself in ways he intended to sound pragmatic.

One of the first things Plecker did, upon passage of the 1924 law, was to issue a Virginia Health Bulletin “extra” edition with information and direction for local registrars and other officials who might be engaged in enforcement of the law. Perhaps he suspected that not all local registrars would be equally enthusiastic in implementing the voluntary registration program established by the law, or in enforcing the law’s strictures against white people marrying outside their “race.” He said

It is preferable that local registrars confine their efforts at first to their own territory, but if neighboring registrars do not push this registration, permission is given to other registrars after three months after the law goes into effect, to solicit and accept this form of registration outside their own bounds. Special registrars or agents of the Bureau may be appointed for this special work if needed.

This seems like a veiled threat to any registrars who might have been inclined not to exert themselves strongly against any local opposition in this matter, and an early indication of

⁶⁷ “State Registrar Plecker Comments on Criticism of Virginia’s Effort to Enforce Racial Integrity Law,” *Richmond News Leader*, 9 Sept 1924.

Plecker's attitude about the ultimate responsibility for carrying out this government function as a state, rather than a local, matter. At the same time, Plecker placed initial responsibilities for determining individual racial identities in the hands of local officials, which is doubly interesting because, in other contexts, he himself admitted that those identities could be difficult, if not impossible, to establish on purely scientific grounds. Here is his specific instruction:

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. The penalty for making a false claim as to color is one year in the penitentiary. Equal care must henceforth be used also in stating the color of the parents of children registered at birth under the 1912 law.⁶⁸

He suggested warning (threatening might be a better word) "any persons of mixed or doubtful color as to the risk of making a claim as to his color, if it is afterwards found to be false." Plecker recommended that registrars delay for "further investigation" if they had doubt about the racial identity of the registrant and added that "As the Clerk must also decide the question of color before he can issue a marriage license, he should be consulted in such cases." In this pamphlet Plecker also endorsed a practice of making "further explanation" on the back of a birth certificate about a child's racialized identity, presumably most often in cases of disputes about racial categorization, a practice that aroused much anger and resentment over the years among Virginia's Indians. Further, Plecker said "The Bureau of Vital Statistics should be notified of all doubtful or suspicious cases." How far Plecker would go to promote centralized surveillance and enforcement appeared again when he said that

⁶⁸ *Virginia Health Bulletin*, vol. XVI, Extra No. 1, March 1924, "Instructions to Local Registrars and Other agents in Administration of the Law to Preserve Racial Integrity," box 38, Powell Papers.

If a local registrar cannot push this form of registration himself or herself, we may be requested to appoint one or more reliable deputies who will work under the local registrar and for whom he or she will be responsible, or we may appoint an agent responsible to the Bureau of Vital Statistics direct.⁶⁹

This pamphlet seems to reflect a variety of concerns on Plecker's part. Perhaps he felt that local officials might need some coaching to take on an additional function and additional tasks, or might be inclined not to be confrontational when dealing with people who lived in the registrars' own communities. He already thought that some local registrars could be intimidated by local people, since in 1923 he had received a letter from a local registrar and businessman, probably among the Amherst-Rockbridge-Bedford Native groups, a man who said that "... the only thing I could see to do without being very injurious to my business, was to let the birth registers go on as handed in to me by the midwives as white."⁷⁰ Plecker complained to a State senator, on the eve of the passage of the 1924 law, about local intimidation of at least one registrar (quite possibly the same man mentioned above), and about physicians who might be lax in reporting "mixed-breed" births as white because of "lack of recorded evidence to the contrary and for business reasons." Plecker also noted that his office had, in some cases, changed some certificates "from white to colored...."⁷¹ While it seems unlikely that at this moment he had grave concerns that local white officials would not accept or endorse the basic purposes of the 1924 miscegenation law, the tone of this bulletin and some of his previous letters suggest Plecker anticipated, and was preparing for, possible forms of resistance.

⁶⁹ *Ibid.*

⁷⁰ Local registrar [name redacted in this copy] to Dr. W. A. Plecker, SR, 28 July 1923, box 41, Powell Papers.

⁷¹ Walter Plecker to M.B. Booker, 15 February 1924, box 41, Powell Papers.

Plecker went on in his “Instructions” to emphasize the importance of using “color terms accurately.” At a time when the U.S. Census Bureau was about to cease using the term “mulatto,” Plecker offered crisp-sounding definitions of “mulatto,” “quadroon,” and “octoroon” whose precision contradicted the realities of the tangled genealogies of many Virginians. Particularly relevant is that that he said “The terms ‘Mixed,’ ‘Issue,’ and perhaps one or two others, will be understood to mean a mixture of white and black races, with the white predominating.” Both those terms (“mixed” and “Issue”) were in use at that time to refer to Virginians who themselves claimed Native identities. Plecker said “That is the class that should be reported with the greatest care, as many of these are on the borderline, and constitute the real danger of race intermixture.” At this juncture, Plecker first mentioned Native people in this bulletin:

The term “Indian” will no longer be accepted for that class, but must be applied only to those of known pure Indian blood, or those mixed with white. If there is a mixture of negro they must not be classed as Indians but as “Negro” or “Mixed Indian.”⁷²

This, then, was Plecker’s explanation of how to apply the terms of the new law: “one drop” of African ancestry made a person black, but “one drop” of Indian “blood” did not make someone Indian.

Later, Plecker became even less willing to entertain the notion of official records calling someone Indian, or even “Mixed Indian.” For example, backed up by the new “racial integrity” law’s provisions, Plecker expressed his regret about the “compromise” mentioned in his 1923 newspaper statement regarding Native people in Halifax. By December, 1924, he said

⁷² *Virginia Health Bulletin*, vol. XVI, Extra No. 1, March 1924, “Instructions to Local Registrars and Other agents in Administration of the Law to Preserve Racial Integrity,” box 38, Powell Papers.

It is very likely that there was some Indian admixture in the Halifax tribe, but I believe there is very little doubt as to their composition being chiefly negro and white....At the time of our inquiry they resented being classed as negro; as descendants of 'free negroes' always do. We compromised on the term 'Indian' in order that we might know that they are not white. Now that term is being used as a stepping-stone to being classed as white....Under the new Racial Integrity law we are not accepting that term as conclusive.⁷³

The first legal challenges to the enforcement of Virginia's newly tightened restrictions on interracial marriage were not long in coming, and developed precisely among the people in the area of Amherst, Bedford, and Rockbridge Counties whom Plecker had already found so "perplexing." In the spring of 1924, Plecker wrote to a range of school officials, local registrars, and county clerks in that section of Virginia that "Our office is trying to investigate the families of mixed blood under the new racial integrity Act...." Noting that Amherst and other nearby counties had "large numbers of these people," Plecker said "I desire to warn you especially to use every precaution not to issue marriage licenses for one of these people to intermarry with a person of known pure white race."⁷⁴ His correspondence on this matter continued into the summer.

As noted earlier, Plecker cited, among the proofs underlying his enforcement efforts, genealogical information drawn from older vital records dating as far back as the 1850s. He also recognized the need for additional local knowledge he could glean, in taking responsibility for statewide enforcement of the 1924 law. In the case of the "mixed families" of Amherst and Rockbridge Counties, he could also cite the work of two eugenically inspired researchers, Ivan E. McDougale and Arthur Estabrook, who were working on a book they would publish in 1926 as *Mongrel Virginians: The WIN Tribe*. Plecker already had gotten wind of their conclusions that those "perplexing" families of

⁷³ Walter Plecker to Samuel L. Adams, 11 December 1924, box 41, Powell Papers.

⁷⁴ Walter Plecker to the Clerks of Rockbridge, Amherst, and Augusta Counties, 29 April 1924, box 41, Powell Papers.

the Amherst and Rockbridge areas descended “through Indians who mixed with white and negro people” and could therefore not be considered legally white in Virginia.⁷⁵

That summer, too, Plecker complained that the 1924 law’s provision for optional registration was having unintended consequences, in that “our near white friends” of “The Amherst crowd are all trying to register as white and we have written to the local registrars that they must give their money back rather than accept them as such.”⁷⁶ At that moment, Plecker reported that resistance in that part of the State had reached a high pitch.

Our Amherst County colony is up in arms and are on the verge of a race riot, threatening the life of one of our local registrars for giving out information concerning them. About 47 from Irish Creek, Rockbridge County, who belong to the Amherst tribe sent in registration cards all white, though we know positively that most, if not all of them are mixed.⁷⁷

By the fall of 1924, Plecker seemed more confident. He boasted that he had a network of midwives, physicians, local registrars, undertakers and county clerks who had been “carefully instructed as to the law and warned as to enforcement.” He said these groups were showing some “zeal” for the work: “Even the midwives are writing us letters giving us lists of the mixed people for whom they practice and asking advice.”⁷⁸

That autumn of 1924, specific legal challenges came to a head precisely from among “the Amherst crowd,” challenges that called into question Plecker’s “positive” knowledge about that “crowd.” The Rockbridge County clerk declined to issue a marriage license to a couple based upon his understanding that one of the applicants,

⁷⁵ Walter Plecker to W. H. Clark, 29 July 1924, box 41, Powell Papers.

⁷⁶ Walter Plecker to John Powell, 30 July 1924, box 41, Powell Papers.

⁷⁷ Walter Plecker to Earnest Sevier Cox, 9 August 1924, box 41, Powell Papers.

⁷⁸ Walter Plecker to the American Medical Association 19 September 1924, box 2, Cox Papers.

Dorothy Johns, had some black “blood.” Johns brought legal action against the clerk, and a judge did not rule in her favor.⁷⁹

Soon after, another case that also involved a couple one of whom was reputedly, like Johns, “tri-racial,” came before the same judge, and in this case the judge ruled that the prospective bride, Atha Sorrells, should legally be considered white for purposes of Virginia’s miscegenation law. Plecker was quite active in monitoring these cases, and testified in both.⁸⁰ He maintained that his older records listing a family as “colored” were proof of African ancestry. The Sorrells defense countered that “colored” in these records and in her case meant Indian. The judge, while apparently sympathetic to the basic premises of the “racial integrity” law, noted the practical problems of proving that over countless generations, one had no ancestors who were not white.⁸¹ This was a blow to Plecker’s contention that, from old state vital records and other sources, he had adequate evidence to enforce the 1924 law in the majority of “cases.”

Plecker and Powell perceived a serious threat to the enforcement of the 1924 law from the Sorrells ruling, and correspondence from each of them indicates real concern. The two of them were willing to look at continued legal action and to argue the case in the pages of newspapers. In the wake of the Sorrells case, Leon M. Bazile, Virginia’s assistant attorney general, informed Powell and Plecker that he had heard that the judge had threatened, should the state appeal his ruling, to “amend his opinion, and declare the racial integrity act unconstitutional.” Faced with this, Bazile advised against an appeal, on grounds that since “the law seems to be working all right outside of Judge Holt’s

⁷⁹ Sherman, “The Last Stand,” 80-81.

⁸⁰ See, for example, Plecker’s letter to a local clerk about the Johns case for an example of his assertions of the value of his evidence in this case: Walter Plecker to W. E. Sandidge, 4 October 1924, box 41, Powell Papers.

⁸¹ Lombardo, “Miscegenation, Eugenics, and Racism,” 440-442.

circuit, we would run the risk of losing a great deal on the chance of reversing him on one case.” Bazile’s letter to Powell says, nonetheless, that “If you and Dr. Plecker wish the case to go to the Court of Appeals, this office will take it there,” and solicits Powell’s further views on this.⁸² This seems like extraordinary influence being handed by a state official to a private individual. It is a mark of how committed Powell and Plecker were to their vision of how to implement the 1924 law, and how influential their alarmist eugenic rhetoric had made them. The lasting influence of their crusade was also on display decades later: in 1959 Bazile was the judge who convicted Richard and Mildred Loving of violating Virginia’s miscegenation laws, a case that ultimately led to the destruction of miscegenation law in America when the Supreme Court handed down its *Loving v. Virginia* ruling in 1967.

Apparently undaunted by the practical difficulties of enforcement of the new law, Plecker wrote to editors of the *County News* and the *Lexington Gazette* in the wake of the Dorothy Johns case to express his feeling that “We cannot afford to let pity for these miserable people influence us in what is safe and right.”⁸³ Plecker’s correspondence shows how his belief in the righteousness of his crusade emboldened him, after passage of the 1924 law, in his efforts to reach out repeatedly to affect individual Virginians’ daily lives and their future life chances. One example is his message to a mother in Lynchburg. Apparently, a midwife had signed a birth report for Mrs. Robert Cheatham’s child, born in 1923, saying that mother and father were both white, but the Lynchburg city health department had submitted a “correction” to the effect that the father was “a negro.” Plecker wrote to the mother:

⁸² Leon M. Bazile to John Powell, 26 November 1924, box 39, Powell Papers.

⁸³ Walter Plecker to William R. Kennedy, 16 September 1924, box 2, Earnest Sevier Cox Papers.

This is to give you warning that this is a mulatto child and you cannot pass it off as white. A new law passed by the last Legislature says that if a child has one drop of negro blood in it, it cannot be counted as white. You will have to do something about this matter and see that this child is not allowed to mix with white children. It cannot go to white schools and can never marry a white person in Virginia. It is an awful thing.

Whether Plecker meant that the child, or the fact of the child's birth, or both, were an "awful thing," the language here is chilling to read today. The copy of this letter Plecker provided to Powell shows that Plecker also wrote to the midwife involved, to threaten her, saying "This is to notify you that it is a penitentiary offense to willfully state that a child is white when it is colored. You have made yourself liable to very serious trouble for doing this thing. What have you got to say about it?"⁸⁴

While it is not clear that the family in this case had an Indian identity, this correspondence exemplifies the approach that Plecker used as his enforcement efforts encircled Virginia's Native people. Plecker would continue such activities for years, boasting that his office would "correct" the record to ensure that "mixed" people were not legally identified as white, and to involve local officials in his enforcement campaigns in such cases by writing, for example, to the "Clerk and School Superintendent giving them they [sic] information we have."⁸⁵ Plecker's goals in enforcing his vision of the "racial integrity" law extended beyond marriages and into the schools, from the time the law was passed, and he remained active in unilaterally altering records submitted to his office. By 1928, he had developed a standard "warning which we are now attaching to the backs of birth certificates where we are now in possession of facts which a hundred years from now might not be available."⁸⁶

⁸⁴ Walter Plecker to Mrs. Robert H. Cheatham, 30 April 1924, box 41, Powell Papers.

⁸⁵ See, for example, Walter Plecker to Harry E. Davis, 4 October 1924, box 41, Powell Papers.

⁸⁶ Walter Plecker to Augusta Fothergill, 21 January 1928, box 41, Powell Papers.

It appears, though, that it took some months after passage of the 1924 law for Plecker to turn serious attention to enforcement of the law in the tidewater part of Virginia. Prior to a meeting with the organized Chickahominy people, he wrote that

In the eastern part of the State there are three or four tribes of Indians who are sufficiently pure to be classed as Indians, though in one of these tribes now under investigation, the Chickahominy tribe, their Chief is engaged in separating the Indian-colored-white from those he claims are free from negro blood. The latter class I believe will be much in the minority. I have an arrangement to meet with him at their Church on December 21st, and arrange definitely as to accepting them in the records of our office as Indian, the others to be classed as mixed-colored, though they probably have some Indian blood. Another tribe, the Rappahannock, is in just the same situation and I expect to make a similar investigation of them. The Pamunkey Indians are probably the purest of all. We have not, however, seriously considered the Halifax, Amherst, and Rockbridge tribes as being of sufficient Indian blood to be classed as such. Claims are being made all over the State by people of colored descent as to being Indian, and will force us to have our law amended at the next Legislature so as to exclude these from marriage with white people.⁸⁷

This must have been a divisive episode for the Chickahominy. It was certainly a clear warning about how their existence as a community was under siege in the wake of the 1924 law, and it was an episode that potentially made Chickahominy leaders participants in Plecker's efforts to sort their membership along "one drop" lines. Plecker's distinctions here between Native groups in the eastern and western parts of the state do not obscure the fact that he was eager to split the eastern groups up, based upon the same rationale he was using at this time to classify Halifax and Amherst people as whole groups so as to deny Indian identities to the western groups *en masse*. It is not hard to imagine that this episode was part of the impetus for the lobbying that tidewater Indians did in the late 1920s, as revisions to the 1924 law were considered by the General Assembly, in 1926 and 1928, culminating in the 1930 law we have already examined.

⁸⁷ Walter Plecker to Samuel L. Adams, 11 December 1924, box 41, Powell Papers.

Perhaps Governor Trinkle had some influence in Plecker's agreement to meet face-to-face with the Chickahominy in their own community, judging from Trinkle's expressed desire to avoid public controversy when Plecker advocated revisions to the 1924 law in 1925. Plecker complained after the meeting with the Chickahominy that Governor Trinkle had been among the whites who "paid them [the Chickahominy] a little attention," and one of his local white informants reported that the Governor had been among those who attended Chickahominy "fish fries" intended to cultivate white supporters. Plecker took steps to try to influence the governor, asserting to him that the Chickahominy were not "Indians" but were "mixed with negro."⁸⁸

In preparing for this meeting with the Chickahominy, Plecker continued his practice of asking help from local (white) officials, and it seems that local whites were invited to attend the meeting. A local registrar told Plecker of "two negroes, J. F. Bowman and Peter Tyler of Ruthville, who claim to know a good deal about the race origin of the Charles City Indians...." (Charles City County and New Kent County are home to the organized Chickahominy people.) Plecker made plans to see those two men as part of his trip to meet with the Chickahominy.⁸⁹ Perhaps Plecker anticipated that Bowman and Tyler would tell him things that would undermine Chickahominy claims to include any "pure" Indians, either individually or as families. Behind this meeting lay one of Plecker's usual strategies: to gather information about community reputation from non-members of the Indian community in question. Given Plecker's stated intention to apply the 1924 law without regard for effects on individuals, it seems reasonable to

⁸⁸ typescript "Stenographic Report of an Interview Regarding the so-called 'Indians' of Charles City County between Mr. E. H. Marston of Charles City County and Dr. W. A. Plecker, State Registrar, Held in the Bureau of Vital Statistics, February, 1925," box 41, Powell Papers.

⁸⁹ Walter Plecker to L. M. Nance, 19 December 1924, box 41, Powell Papers.

suppose that the informants Plecker sought out were people whom he expected to provide testimony harmful to the Chickahominy case, testimony that would be divisive within the Chickahominy membership and perhaps also within the larger community of people who were their neighbors.

After the meeting at the Chickahominy church, Plecker reported that that occasion gave him

the opportunity to tell them plainly that they were mixed with negro and would not be allowed to marry with white people. I told them that they would be allowed to write 'mixed Indian' on their birth certificates, which means in our office that they are a mixture of negro-white and Indian.

For their part, the Chickahominy asked Frank Speck, the University of Pennsylvania anthropologist and folklorist, to send a representative, who addressed the gathering at the church after Plecker spoke. Following the meeting, Chickahominy leaders made regular visits to Plecker and also visited the Governor.⁹⁰

Some of the further consequences of Plecker's attention and activities were exemplified by a meeting held on January 31, 1925 at the office of the Bureau of Vital Statistics at which was interviewed W. A. T. Jones, who wanted to place his children in the Chickahominy school near Roxbury, Virginia. This hearing was prompted by the superintendent of schools for James City, Charles City, and New Kent counties, who said that for the children to be placed in that Chickahominy school,

It will be necessary for him [Jones] to be recognized by the Bureau of Vital Statistics as a "mixed Indian"... This stand was taken due to the fact that neither the School Board nor I care to pass on the race of a man where there is a Bureau established, you might say, for this purpose.

⁹⁰Typescript "Stenographic Report of an Interview Regarding the so-called 'Indians' of Charles City County between Mr. E. H. Marston of Charles City County and Dr. W. A. Plecker, State Registrar, Held in the Bureau of Vital Statistics, February, 1925," box 41, Powell Papers.

The school superintendent noted that his stance was linked to Plecker's presentation to him of "a list of people living in Charles City County whom he [Plecker] has listed as "mixed Indian'..." whose children were attending the Roxbury school.⁹¹ Perhaps the school superintendent was acting out of bureaucratic respect for state record-keeping systems. Perhaps he was hesitant to do anything that might call down upon him the wrath of Walter Plecker, and perhaps he was reluctant to answer a question that might lead to confrontations with and among his neighbors.

Jones' testimony, as we have seen, focused upon genealogy and community associations. Among other ties to Native communities, the record of the interview shows how he affirmed that his mother was "a full-blooded Pamunkey Indian" and that his sister, who married a man whose father was Pamunkey, sent her children to the Roxbury school. The interviewer cautioned him: "You understand, Jones, this is simply to get your children into the 'Indian' school, and not to allow you the privilege of riding on the white cars and intermarrying with white people."⁹² Behind a veneer of questions seemingly designed to sound reasonable, there lay a firm official determination to uphold Jim Crow. One wonders what Mr. Jones thought about having to submit to such an examination about his "racial standing" merely to get his children into a school their cousins already attended.

Plecker's "investigation" of the Chickahominy also involved the interviewing of Ferdinand Wynn, whose father Plecker accepted as someone whose Indian "blood" was traceable. Plecker said the Chickahominy community brought Wynn to Plecker's office as "their Indian exhibit, and he does bear some marks of Indian blood." Plecker,

⁹¹ Clarence Jennings to Albert O. Boschen, 27 January 1925, box 41, Powell Papers.

⁹² typescript "Interview Between William Archer Thaddeus Jones and Hon. Albert O. Boschen, January 31st, 1925," box 41, Powell Papers.

however, labeled him “an old half-negro and half-Indian.” (We will encounter the Wynns again.) Plecker also continued to talk with local non-Indians about the local reputation of the group.

Some five or six leading men of Charles City County have visited my office and furnished me with the pedigree of these people, and all emphatically claim that they are of negro-white descent, except those descended from this man Wynn, who would still have a faint trace of Indian. Their statements fully agree with our records and the historical quotations referred to.

In the letter quoted here, Plecker went on to talk about the “Rappahanocs” who, in his view, were just emerging. Though he had not yet “traced out” the families of this group, he already believed they, too, “contain a trace at least of negro blood....” Plecker, while wishing to persuade potential white audiences of the historical, genealogical, ethnological precision of his approach to enforcement issues, and the soundness of the biological and scientific aspects of his argument, demonstrated in both these efforts again that lack of documentary or “scientific” proof would not necessarily deter him from reaching conclusions about the racialized identities of Chickahominy and Rappahanock people. The word of local white “leading men,” for Plecker carried great weight against the testimony of a Native community and against the words of the white scholar Frank Speck.⁹³

Schools continued to be a concern for Plecker, as they had been from the beginning of his enforcement efforts, and he worked to extend the reach of the 1924 law’s definitions of race beyond questions of marriage.⁹⁴ The fall of 1925 found him preparing for a suit by Chickahominy people who wished to continue sending their

⁹³ Walter Plecker to D.E. Harrower, 27 April 1925, box 41, Powell Papers.

⁹⁴ See, for example, *Virginia Health Bulletin*, vol. XVI, Extra No. 2, March 1924, “The New Virginia Law to Preserve Racial Integrity,” box 43, Trinkle Papers.

children “to the white schools of Richmond.”⁹⁵ This is presumably a reference to the case of Ray Winn. After their marriage, Winn and his first wife, members of the Chickahominy group, had lived in Richmond, where their children attended a school for white children. When that school took steps to expel Winn’s children as “Negroid,” Winn appealed to the city School Board. At that point Plecker testified that the Winn family was “near white.” The school’s decision stood. Winn’s second wife was white. After the school board decision, Winn was indicted on charges that his second marriage was miscegenous under Virginia law, but the court in that case upheld his marriage. This illustrates the capricious nature of enforcement of legal definitions of race in Virginia, particularly for Native Virginians, and shows again that Plecker sometimes had difficulty convincing officials of the infallibility of his interpretation of available documentary evidence.⁹⁶

Plecker was not above attempting to suppress research that supported tidewater Natives’ identities as Indians, as shown in a letter he wrote to John Powell that included this note: “I hope we have stopped the issuing of [Frank] Speck’s report on the Essex and King and Queen group. Suppose you call on the Indian Museum people and tell them a few things.”⁹⁷ This was presumably a reference to Speck’s monograph on the Rappahannocks, published by the Heye foundation in 1925. Speck had already written to Plecker at least once, in response to a letter in which Plecker requested, among other things, access to Speck’s manuscripts on Virginia Indians. Speck took the opportunity to

⁹⁵ Walter Plecker to E. Lee Trinkle, 5 October 1925, box 43, Trinkle Papers.

⁹⁶ Brian William Thomson, “Racism and Racial Classification,” 233-235

⁹⁷ Walter Plecker to John Powell 27 April 1925, box 41, Powell Papers.

say to Plecker about the 1924 law "... that the heredity theories upon which the Statute is based are not scientifically valid."⁹⁸

Another aspect of Powell and Plecker's efforts at enforcement involved attempts to influence U.S. Census Bureau officials about census tallies on Virginia Indians.⁹⁹ In early 1925, Plecker wrote to inform the U.S. Bureau of the Census that his "investigations" were revealing that there were "no Indians in Virginia that are not heavily mixed with negro as well as white blood." He mentioned his meeting with the Chickahominy people as evidence; "...there was only one woman who could be classed as Indian in comparison with those that we see in the west. The others were all clearly and distinctly negroid." Here Plecker seems to be relying on physical appearance, rather than the genealogical information from old state vital records of which he boasted at other times. This letter also shows that the Rappahannocks were pressing their case on Plecker to register as Indians, for Plecker cited an old marriage in his effort to refute their claims. In making his more immediate complaint, Plecker noted that the census for Amherst County showed increasing numbers of Indians after 1900: "That colony has such a slight strain of Indian blood that it is entirely erroneous to class them as Indians. We have the direct history of them as descendants from free-negroes...." He requested, in anticipation of the 1930 census, that for that decennial count "our bureau... be permitted to co-operate with you if we are able in establishing the racial status of the so-called Indians of Virginia."¹⁰⁰

⁹⁸ Frank G. Speck to Walter Plecker, 6 September 1924, box 2, Cox Papers.

⁹⁹ Chapter five will explore this, but here it is relevant to discuss the basis on which they quarreled with census figures in the aftermath of the 1924 legislation.

¹⁰⁰ Walter Plecker to W. M. Steuart, 14 January 1925, box 29, Trinkle Papers.

In a draft of a letter to someone in Halifax County which also touches on the census, John Powell showed how challenging Indian people in Virginia were to his public stance on eugenics and definitions of racialized identities. Here, Powell claimed that the Pamunkey and Mattaponi were able to avoid being placed with blacks in segregated “public conveyances” only because state officials were “ignorant of their true racial status.” He traced some of the present-day black population of Virginia back to historic times when some Indians were enslaved and lived with and among enslaved African Americans. In Powell’s view, as African slavery became prevalent, those enslaved Indians

were absorbed into the negro population. As a result of this, it has been estimated that approximately one-third of Virginia negroes today has some degree of Indian blood, and this condition is for the most part concentrated in the Tidewater counties, especially those nearest the reservation. Virginia negroes have always for some inexplicable reason been proud to claim Indian blood, but only in relatively recent times has there been any attempt to make this claim as the basis of a demand for a change in racial status.

Powell here poked fun at “inexplicable” pride among people with Native ancestors whom he saw as African Americans, perhaps suggesting that they had not either sufficient “race pride” or humility to accept being black. Powell also seems to suggest here that recent public claims of Indian identity were only presumptuous, opportunistic affronts to the proper racialized “order.” Powell was also trying to undermine the claims of Virginia Indian groups by an appeal to history, by asserting that in the past “pure” Indians had been “absorbed” into the black population. Perhaps he claimed that so many African Americans (“one-third”) could claim Indian ancestors in order to argue that Virginia Indians outside the two reservations had no more legitimate claims to Indianness than his entire estimated “one third” of Virginia’s black population. His reference to the

reservation here may have been intended as a comment on the contention by the Pamunkey that they had not inter-married with African Americans. Here, echoing his “Last Stand” newspaper articles (see below), Powell claimed that the Chickahominy organized only “when they saw negroid reservation Indians riding in the white coaches.” Emboldened by their fight against segregated railway cars, he claimed, a group of Chickahominy people then withdrew from a black Baptist church to form their own church. In a further bid to frighten white readers, Powell said that some of those people who went to Henrico County and Richmond even joined white Baptist congregations, went to white schools, and married whites. Powell concluded with a plea that someone intervene with Census officials to prevent census enumerations of Virginians as Indians.¹⁰¹

Plecker, Powell, and Cox sought to use not just private correspondence, but also public speaking engagements, newspapers, pamphlets and other publications, and magazines to make the case for their eugenic thinking, and to link their activities to the eugenics movement nationally, in order to reach popular and professional, local and national audiences. They met with considerable success in reaching national audiences.

Plecker, for example, presented to the Southern Medical Association a paper titled “Shall America Remain White?” He also read a paper before the American Public Health Association that appeared in *The American Journal of Public Health* and was reprinted in abbreviated form in *The Literary Digest* on March 7, 1925. In this piece, he rehearsed, first for his public-health peers and then for a popular audience, the argument he and Powell and Cox had been making to link the “dangers” of “racial amalgamation” to immigration. Still, Plecker seemed most concerned to emphasize the threat of “Negro

¹⁰¹ Typescript letter, n.d., box 38, folder 42, Powell Papers.

blood” passing into the white world, not only in existing United States populations but also in pools of immigrants from the western hemisphere (Mexico, South America, and the West Indies) and even parts of southern Europe, where, Plecker claimed, “negroids” also lived. Like Powell and Cox, Plecker here said that in the long run the only real solution was colonization. He called for “the separation of the races by gradual repatriation of the colored races.”¹⁰²

In the *Literary Digest* summary of his paper, it is not made explicit what Plecker thought about people who claimed Native identities but who were not in his eyes “really” Indian. Even in this summary, though, his attitudes about segregation of Virginia Natives seem implicit in his statement that “The colored races should be equally zealous in preventing both the legal and illegal admixture of the races.” Plecker was “glad to say that the true negro of Virginia is beginning to appreciate this point and is agreeing to the wisdom of this movement. Our chief trouble is with some of the near-whites who desire to change from the colored to the white class.” Here, one can imagine that Plecker had in mind Indian parents who sent their children to white schools, or people like Atha Sorrells. The full text of his Public Health Association paper did refer to the western and Halifax county communities who were claiming Indian identities. In defending Virginia’s 1924 “racial integrity” law he acknowledged that it would not stop “illegitimate mixture of the races, but it is possible to stop the legal intermixture.”¹⁰³ “Illegitimacy” was a “problem” that Plecker and Powell attempted to acknowledge in other contexts, too.¹⁰⁴

¹⁰² Walter Plecker, “Virginia’s Attempt to Address the Color Problem,” a reprint summary published in *The Literary Digest* of 7 March 1925. Copy in box 38, Powell Papers.

¹⁰³ Walter Plecker, “Virginia’s Attempt to Address the Color Problem,” a reprint summary published in *The Literary Digest* of 7 March 1925. Copy in box 38, Powell Papers.

¹⁰⁴ Walter Ashby Plecker, Bureau of Vital Statistics, Public Health Bureau, “Eugenics in Relation to the New Family and the Law on Racial Integrity,” second edition (Richmond, Virginia: Superintendent of Public Printing, 1924), 18-20.

When Plecker had the full text of his Public Health Association paper reprinted by the State of Virginia, he prefaced it with introductory comments that placed it firmly in the context of generalized eugenic concerns about “fit” families in America and how to teach young people to make good eugenic choices in marriage partners. He used the eugenicists’ neo-Mendelian language by explaining that some inherited traits are “dominant.” Then he mentioned, as examples of how this could operate and in almost the same breath, not only the inheritance of “black blood” but also “many deformities... and other characteristics as color of eyes, hair and skin.” He then positioned “white and black racial mixture” as Virginia’s most pressing eugenic concern.¹⁰⁵

Plecker revealed his estimation of the reception of this paper, and his concern to make his views nationally influential, in a letter to the American Public Health Association. In it he said that he had received much laudatory correspondence about the paper, and

...two letters from negroes are absolutely the only criticisms I have received, except an article in a negro paper in Norfolk. I have been rather surprised at this, as I expected much criticism from papers of the Mercury and Nation types-- they will probably come later.

The desires of Cox, Powell and Plecker to cultivate contacts with educators, including university faculty, cropped up in Plecker’s comment here that

Professors in seven or eight colleges in New York, New England and as far West as Idaho have asked for several copies of the booklet to use in teaching sociological and biological classes, also others of the South and the majority of our Virginia colleges.¹⁰⁶

¹⁰⁵ Plecker, “Eugenics in Relation to the New Family and the Law on Racial Integrity,” second edition (Richmond, Virginia: Superintendent of Public Printing, 1924), 3-7.

¹⁰⁶ Walter Plecker to Homer N. Calver, 17 March 1925, box 41, Powell Papers.

In fact, around the time Plecker wrote this letter, the National Association for the Advancement of Colored People (N.A.A.C.P.) successfully challenged Plecker's use of government franking privileges to mail pamphlets like this one, something Plecker had been able to do because of his largely unpaid appointment as an agent for Virginia of the Children's Bureau of the U.S. Department of Labor.¹⁰⁷ The *Norfolk Journal and Guide* also criticized Plecker's pamphleteering.¹⁰⁸ The *Philadelphia Tribune* joined the fray; the paper's editor acknowledged Plecker's right to "write anything he pleases," but said "Franked mail should only be used for the benefit of all citizens and not to satisfy the prejudicial whims of a fanatical Nordic."¹⁰⁹ By April, Plecker acknowledged getting much dissenting mail, some of it inspired by the N.A.A.C.P., along with accolades from supportive whites.¹¹⁰ Perhaps this encounter with the N.A.A.C.P. made connections to Marcus Garvey more attractive to Plecker, Powell, and Cox, given the tensions between Marcus Garvey and the N.A.A.C.P.'s W.E.B. DuBois. It also appears that by the fall of 1925, Plecker received, by mail, at least one death threat.¹¹¹

Cox, Plecker and Powell coordinated correspondence and opportunities for public speaking, seeking to reach like-minded whites, the general public, politicians, and African Americans, chiefly United Negro Improvement Association (U.N.I.A.) members, whom they thought might be sympathetic to rhetoric about "racial purity" and eugenics in the black community. Cox, for his part, continued to press his argument for "repatriation" in printed pamphlets and speaking engagements. Plecker recommended to

¹⁰⁷ "Plecker Aroused by Blow Aimed at Racial Law, *Richmond Times-Dispatch*, 31 March 1925.

¹⁰⁸ J. Douglas Smith, *Managing White Supremacy: Race, Politics, and Citizenship in Jim Crow Virginia* (Chapel Hill and London: University of North Carolina Press, 2002), 99-100.

¹⁰⁹ E. Washington Rhodes to Earnest Sevier Cox, 8 April 1925, box 2, Cox Papers.

¹¹⁰ Walter A. Plecker to Stone Deavours, 15 April 1925, box 41, Powell Papers.

¹¹¹ "Plecker Gets New Threatening Message," *Washington Post*, 19 November 1925.

correspondents, and helped distribute, Cox's pamphlets and his *White America*.¹¹²

Locally, Cox's public advocacy directed toward African Americans in the immediate wake of passage of the 1924 law included an invitation to speak to members of the American Federation of Negro Students at Virginia Union University, an invitation that included John Powell.¹¹³

One example of their coordination, and of the reach of Plecker, Cox, and Powell's publicity efforts among African Americans, involved mail Plecker received from the Alliance of Colored American Citizens, in Philadelphia. Plecker asked Cox to respond to one of the Alliance's letters.¹¹⁴ An Alliance broadside included in Cox's papers argued against the use of the word "negro," emphasizing the long history of African Americans in America, and reminding readers that "We are one hundred per cent Americans by birth with undivided allegiance." Relevant for this project, the broadside writer in effect claimed Pocahontas as an all-American ancestor, calling her "a young colored woman" and "a beautiful brown maiden." Of her marriage to John Rolfe, the broadside said "This union of Colored and White groups was consummated in the midst of general rejoicing."¹¹⁵ Presumably this group was moved by the era's debates, involving Garvey and the N.A.A.C.P. among others, about the status of African Americans in America, pan-Africanism, and emigration to Africa.

As noted earlier, part of Cox's outreach was talking with Marcus Garvey and other members of his U.N.I.A. In May, 1925, Cox published a pamphlet, "Let My People

¹¹² Walter Plecker to Earnest Sevier Cox, 10 September 1924, box 2, Cox Papers.

¹¹³ Thomas Dabney to Earnest Sevier Cox, 31 March 1924, box 2, Cox Papers.

¹¹⁴ Walter Plecker to Earnest Sevier Cox, 18 June 1924; see also Walter Plecker to Alliance of Colored American Citizens, 1 April 1924, box 2, Cox Papers, and Earnest Sevier Cox to Alliance of Colored American Citizens of the United States of America, 7 July 1924, box 2, Cox Papers.

¹¹⁵ Broadside of the Alliance of Colored American Citizens of the United States of America, n.d., box 2, Cox Papers.

Go,” dedicated to Marcus Garvey.¹¹⁶ Garvey wrote back praising the pamphlet, and saying that he, too, saw the dangers of a “mongrel America.”¹¹⁷ The search for support for the racial integrity campaign included letters by Plecker and Cox, in 1927, to advocate that Garvey’s application for pardon from his conviction on federal mail-fraud charges be granted.¹¹⁸ Cox’s efforts to reach out and correspond with Garveyites did not always bring him support, as shown in letters he received from the president of the Richmond division of the U.N.I.A., letters which made it clear that Garvey’s contacts with himself, Powell, and Plecker were controversial among some of Garvey’s supporters.¹¹⁹

Cox also arranged to have copies of his book *White America* sent to member of the United States Congress, receiving many notes acknowledging receipt of the book. In this, he was encouraged by a man connected with the Immigration Restriction League. That man did provide some funding for the project, but told Cox that he would prefer that his support remain a personal, anonymous matter. He wrote:

I feel quite sure that the League would not feel that it would care to come out on the specific question of the colored problem, because their constitution confines them strictly to the question of immigration restriction.... In my opinion, it is just as well to keep these movements of restriction of immigration, and for race purity in the United States, separate. Of course, the two subjects have a direct relation, but there is no advantage, and probably a political disadvantage, in merging them.¹²⁰

Cox probably found this disappointing, in light of his strenuous efforts to link “the two subjects” publicly by reaching out to northern popularizers of eugenics like Madison

¹¹⁶ Copy in Box 38, Powell Papers.

¹¹⁷ Marcus Garvey to Earnest Sevier Cox, 10 June 1925, box 2, Cox Papers.

¹¹⁸ See, for example, Walter Plecker to the President of the United States 19 March 1927, box 41, Powell Papers.

¹¹⁹ John J. Fenner, Jr., to Earnest Sevier Cox, 17 June 1925, box 2, Cox Papers.

¹²⁰ Francis H. Kinnicutt to Earnest Sevier Cox, 14 February 1925, box 2, Cox Papers.

Grant. He seems to have seen political advantage to his campaign in such a union, if his correspondent did not.

Powell, in turn, wrote a series of articles that appeared in the *Richmond Times-Dispatch* between February 21, 1926 and March 2, 1926 under the evocative title “The Last Stand: The necessity of racial integrity legislation in Virginia as shown by an ethnological survey of the State by congressional districts.”¹²¹ “The Last Stand” rehashes arguments for colonization and the “one drop rule” and the urgent need for further action that Powell and Plecker and Cox had been making publicly, but it also attempts to situate them in Powell’s particular vision of the history of race relations and slavery in Virginia. In addition, these pieces attempted to present “ethnological” information systematically, geographically by congressional district.¹²²

In so doing, Powell emphasized a number of cases involving individual families and whole groups where, in his view, “Certain mix-breed groups, claiming descent from the aboriginal Indians, are pressing against the color line- and- in many instances are succeeding in passing over.” Powell’s anecdotes went beyond “intermarriage” to cite the “dangers” of the children of such families attending white schools. Whites who supported the claims of such people to be Indian in Powell’s eyes were guilty of “romantic sentimentality or self interest.” Here, Powell again made an argument that it was the rise of Jim Crow law that “galvanized” the non-reservation Native groups into action to create the “form and semblance of tribal organizations,” such as the Rappahannock people of Essex and King & Queen counties. In stressing the dangers of granting those people Indian status, he pointed to Nansemond people in Norfolk County “claiming and

¹²¹ See Sherman, “The Last Stand,” 86-87, about responses to these articles in the white and black press.

¹²² Scrapbook with text of “The Last Stand: The necessity of racial integrity legislation in Virginia as shown by an ethnological survey of the State by congressional districts,” n.d., box 38, Powell Papers

to some extent possessing a strain of Indian blood.” In Powell’s view the Nansemond were really “negroid” people who had nonetheless succeeded in getting some level of federal attention and a school of their own. Powell noted with alarm that some of them, having gone to the nearby cities of Norfolk and Portsmouth, “...have intermarried with white people—usually Poles or other foreigners—and tried to enter white schools.” Powell, while focusing on black “blood” as the fundamental issue, thus also made recent immigrants part of the “problem.”¹²³

Not content with publishing articles describing the rationale for the 1924 “racial integrity” law, Powell and Plecker also reached out to advocate that other states pass similar legislation. Shortly after the passage of the 1924 law, Governor Elbert Lee Trinkle sent letters to governors of other states about it, praising and recommending the law’s provisions. John Powell may have encouraged the Governor in this action.¹²⁴

Plecker assisted, and lost no time following up in his own correspondence to suggest that people in other states advocate for similar legislation. For example, Plecker mailed 1200 copies of the text of the 1924 law to the Louisiana Club for Segregation.¹²⁵ In a letter to a South Carolina minister, Plecker said that South Carolina’s governor had acknowledged Trinkle’s letter but offered no opinions in response. Plecker suggested that the minister “get behind him and the legislature” in order to “get this or a better law across.... We hope that all of the Southern States will fall into line.” He noted that Powell “originated that move, which while confined to Virginia at present is intended to be

¹²³ *Ibid.*

¹²⁴ Walter Plecker to E. Lee Trinkle, 19 April 1924, box 43, Trinkle Papers. See also E. H. Anderson, to E. Lee Trinkle, 17 April 1924, box 43, Trinkle papers. The latter letter thanks the governor, on behalf of the Virginia Post, No. 1, of the Anglo-Saxon Clubs of America, for his message by way of “Anglo-Saxon Powell” praising the 1924 law, for “the promptness of the registration of yourself and family,” and for his intention to endorse and send copies of the law to other Governors.

¹²⁵ Walter Plecker to L. E. Stephens, 12 December 1924, box 2, Cox papers.

national.” As early as the time of this letter, as he advised people in other states to learn from Virginia’s experience, Plecker was critical of the failed provision in early versions of what became the 1924 “racial integrity” law that would have made the new registration system compulsory. Plecker said “This, of course, would have been a very difficult and expensive procedure.” This continued to be his attitude in later correspondence. Georgia, in fact, did pass a similar law, one which included a provision for compulsory registration of racialized identities, but this provision was apparently never implemented.¹²⁶

Typical of Plecker’s argument for similar legislation in other states was a letter he wrote to a man in Cleveland, Ohio. Plecker emphasized the law’s stringent definition of a white person as its “most important feature.” In this context, he also acknowledged the role that Native identities and Native people played in development of the legislation:

We had considerable trouble in establishing the position of the American Indian, and admitted those with one-sixteenth or less of Indian blood [as whites] to accommodate our Pocahontas descendants and one or two other cases known to us in the State. That clause, however, has given us much trouble, as a number of groups who have but a trace of Indian blood, the rest being negro and white, are claiming exemption under that clause. In at least one county some who are descendants of ante bellum ‘free negroes’ with a considerable admixture [sic] of illegitimate white blood are claiming themselves Indians and seem to be meeting with some success.¹²⁷

This last comment was probably a reference to events in Amherst and Rockbridge counties that year, including the Sorrells case. Plecker was perhaps deliberately not always careful to distinguish between individual claims of whiteness under the 1924 law’s “Pocahontas exception” and claims of Indianness. Presumably this was because he thought that claiming an Indian identity was, for individuals, really a step toward claiming whiteness under the one-sixteenth “Pocahontas exception” and for groups,

¹²⁶ Walter Plecker to Rev. Wendell White, 10 May 1924, box 41, Powell Papers.

¹²⁷ Walter Plecker to Harry E. Davis, 4 October 1924, box 41, Powell Papers.

similarly, was a way station toward ultimately getting enough “white illegitimate admixture” to be classed as white.¹²⁸

As the conflict in Rockbridge and Amherst counties developed in the summer of 1924, a contact from a public-health official in Maryland led Plecker to reflect what he saw as the need for other states to follow Virginia’s lead. Speaking to Cox, he said

It might mean a good deal to us if we could get Maryland and North Carolina, border states, to adopt this law. That is the thing we want to work for now. I am afraid that in some of the southern states the mixture is already so far advanced that it would be difficult to do it.

Presumably referring to Cox’s ideas about colonization and “repatriation,” he said “I believe that we can hold the matter in hand until your plan can be adopted, but we must have other states fall in line.”¹²⁹

Plecker corresponded with fellow public-health officials in other states because of this concern that the absolutist approach he espoused need to be national in scope. In a letter to his counterpart in North Carolina’s Bureau of Vital Statistics, he invited his peer’s attention to what he called the most important provision in Virginia’s new law: the definition of a white person as someone “with no trace of whatsoever of colored blood,” suggesting that this state official “pass the idea on” in North Carolina.”¹³⁰ Similarly, Plecker wrote to the Arkansas State Health Officer offering advice about how to create similar legislation while avoiding what Plecker saw as “compromises” in Virginia’s 1924 act, especially the provision that tempted, in his view, “ ‘near-white’ people, especially those with a trace of Indian blood” to attempt to register as white.

Here, in contrast to his commentary to Cox, speaking to a fellow southern official, he said

¹²⁸ See, for example, Walter Plecker to John K. Gailey, 21 May 1925, box 41, Powell Papers.

¹²⁹ Walter Plecker to Earnest Sevier Cox, 9 August 1924, box 41, Powell Papers.

¹³⁰ Walter Plecker to Dr. F. M. Register, 9 August 1924, box 41, Powell Papers.

“we” want other Southern states to pass laws “similar to or better than ours and hope that Northern states will likewise fall into line.”¹³¹

In response to a request from Senator Morris Sheppard, and with help from Virginia’s Legislative Reference Bureau, Plecker provided text for a draft law that would have prohibited “intermarriage between negroes and whites” in Washington, D.C. His colleague in the Legislative Reference Bureau, Plecker noted, had titled it a bill “to preserve the integrity of the white race in the District of Columbia” because “it is the protection of the white race that is aimed at, and not the others.” Plecker included in this draft bill a provision that would have also prohibited “extra-marital intercourse between the races” in the District, telling Sheppard that on this point, in Virginia “...we have found that it will be necessary to have our law amended at the next legislature...as that is now becoming in Virginia almost the only form of racial intermixture, but it has always been the chief one.” Thus Plecker expressed a great deal of assurance about the success of his enforcement efforts about a year after the 1924 law passed and presented Virginia as a model for the nation.¹³²

Plecker and Powell and Cox were in some ways pushing the cultural and social implications of mainstream whites’ ideas about segregation further even than many other white Americans were willing to go, especially in their advocacy of “repatriation” of African Americans. To the extent that some of their other proposals were successful, though, that success came because their racial attitudes were solidly “mainstream” in many ways.

¹³¹ Walter Plecker to Dr. C. W. Garrison, 5 January 1925, box 41, Powell Papers.

¹³² Walter Plecker to Morris Sheppard, 12 March 1925, box 41, Powell Papers.

They were articulating views that, broadly speaking, were shared by many other whites, north and south. They married the rhetoric of southern segregation with the latest in the language of scientific racism, at a time when eugenic thinking was widely popular and popularized throughout the United States. Their eugenic rhetoric about African Americans and “mixed-race” people in the South not only fit within the belief systems underlying Jim Crow in the South, but also embraced one of the latest, national, trends in popular and scientific racialism. They tapped into older notions about how race, whiteness and white political supremacy were grounded in a complex web of biology and culture, while also referring to neo-Mendelian ideas about “regression” and “dominance” of genetics in the service of their segregationist, white-supremacist mission. In that way, they created a potent, toxic brew that could be used effectively to justify further tightening of racialized segregation in the South. Richard B. Sherman said that in 1924, “The campaign for racial integrity in Virginia was not the product of a great popular ground swell. Rather it was primarily the work of this dedicated coterie of extremists who played effectively on the fears and prejudices of many whites.”¹³³ In some important ways, these three men were indeed “extremists,” but they did not need a proximate new “great popular ground swell.” They could merely ride a racial, eugenic wave that already existed, though in their publicity seeking they did cast themselves as waking whites out of their complacent ignorance of present eugenic “danger.”

Unlike some other eugenicists and popularizers of eugenic thinking, the main concerns of Plecker, Cox, and Powell focused on race as a black-white divide, even as they connected their campaign with eugenic rhetoric about the “new family,” immigration, and the genetically “defective.” Because they worked to engage public

¹³³ Sherman, “The Last Stand,” 69.

support for a campaign that would appeal to both old-school segregationists and northern eugenicists, their efforts, in retrospect, seem almost certain to bear some kind of legislative fruit among Virginia's lawmakers. Eugenics, popularly and nationally, was cresting in some ways in the mid-1920s (though some scholars and scientists had their reservations). Southern whites' commitment to the Jim Crow regime was at least as strong as it had ever been, and, nationally, racialism occupied a key place in national life, as exemplified in the immigration quotas mandated in 1924. If, nationally, "race" as an idea was shifting away from the notion of racialized identities as a multi-faceted set of categories, and toward the use of "race" as shorthand for a black-white divide, Plecker, Powell, and Cox fit into that trend, since their primary concern was what they called African "blood" mixing with that of whites. Add to this Walter Plecker's official position as a state bureaucrat, which enabled him to manipulate the levers of government at State and local levels, and the result seems unlikely to generate very much controversy or require much persuasion among most whites in 1924 Virginia, even if those involved in active campaigning for the 1924 law were a small group.

For Virginia's avowedly and organized Native people, and for other people less publicly visible in claiming Native identities, 1924 represented one more crisis in their histories, and a concerted challenge to their identities and communities with fresh levels of state backing. Plecker, Powell and Cox were in part inflamed, as they began their "racial integrity" campaign, by the public efforts of groups like the Chickahominy and Rappahannock to position themselves outside Virginia's Jim Crow legislation, efforts which those three men saw as a threat to their eugenic and racial mission to place everyone on one side or the other of a black-white "color line."

With passage of the 1924 and 1930 laws instituting and refining a “one drop rule” as a matter of law in Virginia, then, Virginia’s Indian people were especially vulnerable to the eugenic arguments of Plecker, Powell and Cox. That trio used eugenic rhetoric to argue that it was precisely people of “mixed” genetic inheritance who constituted the most serious and insidious “danger” not just to white political supremacy, but also to the survival of white “civilization” and the “purity” of the white “race.” As possibly the most visible groups of “mixed” people in the state, Virginia Indians thus bore the brunt of the campaign when Plecker, Powell and Cox launched their efforts for enforcement of the 1924 “racial integrity” law. Plecker, Powell and Cox argued that segregation by itself was not sufficient to protect the “white race” from the consequences of racialized “mixing,” a phenomenon that for them was conspicuously represented by Virginia’s Native Americans. Thus, from the beginning of the “racial integrity” campaign, Virginia’s Native people were a particular and important concern and target for Plecker, Cox, and Powell.

By 1924 Virginia Indians had for some decades been fighting publicly to assert their Indian identities, in some cases with involvement by whites like the anthropologist and folklorist Frank Speck. Indian Virginians did act to influence Virginia legislators in the General Assembly’s debates about legal definitions of race in the 1920s, and had some success in making their voices heard. The legal definitions of race espoused by Cox, Plecker, and Powell emerged as the law of the state in 1924 and 1930, but Virginia’s organized Native peoples continued to assert their presence as Indians. In the course of that fight some of them also continued to deny that they or their communities had had familial or community connections with African Americans in the recent past,

and to prohibit group members from marrying African Americans. In these ways, they in effect accepted some of the underlying premises of the racialized arguments that their foes were making against them.

Chapter Three

Constructing Native Identities in Tidewater Virginia between 1865 and 1930: Reservations, Organizations, and Public Ceremonies

A member of the Upper Mattaponi group, speaking in 2005, expressed the impact of the “racial integrity” campaigns this way: “You were embarrassed to be Indian because Plecker said if you’re not White, you’re Black.”¹ Although this man used the past tense to talk about this “embarrassment,” his testimony demonstrates the lasting power of racialized and eugenic thinking to influence memory and to shape attitudes among all Virginians, if sometimes in ways that go unexamined and unacknowledged. Helen Rountree, an anthropologist and ethnohistorian who has spent decades working with and among Powhatan tidewater people, tells of a 1976 encounter with a Chickahominy woman who was living with the aftermath of Virginia’s 1924 “racial integrity” law. This woman had requested a copy of her birth certificate and discovered that Walter Plecker’s office, as part of his pattern of amending racial categories on birth records sent to his Vital Statistics office in Richmond, had on the back of the certificate “written a statement about the racial label of her grandparents in the county marriage registers. She told me in 1976, ‘You have no idea how embarrassing that is!’”² Rountree does not specify exactly what her informant in 1976 found “embarrassing.” Plecker’s tactics, and his literal interpretations of racialized categorizations from old records were far in the past by 1976, but it seems that this woman still felt that any official suggestion that she might have had African-American ancestors was somehow

¹ Julie H. Ernstein, Buck H. Woodard, Danielle Moretti-Langholtz, and Angela L. David, National Register of Historic Places Registration form, “Sharon Indian School” prepared by authors at the American Indian Resource Center, Department of Anthropology, College of William and Mary, 2006, accepted for National Register listing 2007, page 9 and page 22, note 21.

² Helen C. Rountree, *Pocahontas’s People: The Powhatan Indians of Virginia Through Four Centuries* (Norman: University of Oklahoma Press), 232.

shameful. That old notation from Plecker's office was easy to discredit and creaky with age, but she found it painful nonetheless. One wishes that in 1976, Rountree's informant had lived in a climate in which she could have had more confidence that her Indianness might be understood in terms other than those that Plecker tried to impose.

To understand better why some of Virginia's Indians may still speak of the Plecker era with such fresh memories means to explore how, in the aftermath of the Civil War and leading up to the late 1920s, some Indian Virginians confronted segregation and racialized thought as direct threats to their community and person identities. This chapter argues that, facing this threat, as they asserted Native identities through varied strategies, in some ways they accepted aspects of the "one drop" notions of racialized identity that their opponents like Walter Plecker so vigorously espoused and used against them. The period from the end of the Civil War and 1930 saw some Virginians forming and participating in Native organizations that separated them from black and white neighbors. In these processes of developing new ways of marking and encircling Indian identities, the organized Virginia tidewater Indians created structures that left out other Virginians whose families had traditions of Indian ancestors but who chose, or felt they had no choice, but to "live black"-- like Moble Hopson. The organized tidewater Indian groups, in their work to present themselves and their communities as red, not white or black, in some ways took part in reinforcing the very color line that whites constructed so carefully as a barrier against all "people of color." In carving out a niche that was outside the black-white binary of the common conception of the color line, those organized Indian groups emphasized their Indian identities not only through segregated institutions such as tribal organizations, churches, and schools designed to distance them from African

Americans, but also through public display of emblems of Indianness that linked them to Virginia's colonial history and to pan-Indian symbols.

Even before the Civil War, tidewater Indians knew well how vulnerable their identities as Indians might be. Walter Plecker's activities presented a renewed spasm of official activity against Indians in Virginia, but Plecker and his allies demonstrated the virulence of the racialism that these Indians had already faced, as well as the consequences of letting vague definitions of race in historical documentation stand unchallenged to be interpreted narrowly by whites like Plecker. One scholar has suggested that in some ways racial prejudice against Native Americans nationally was less monolithic than that against African Americans; "prejudice against Indians tended to be local, directed against local Indians on local reservations."³ In tidewater Virginia, though, the reservation and non-reservation "citizen" Indians grappled with a racialized situation complicated by its southern context. Because they lived in a place and time where whites focused upon defining race as a black-white color line, their positions and identities as Indians could be linked to issues of "white supremacy" far beyond "local" situations. Thus, in dealing with Jim Crow-era laws, organized tidewater Native peoples worked to maintain an identity separate from that of other "persons of color" in Virginia. Given that by 1865, there had been centuries of relationships across racial lines in the tidewater of Virginia, this work ran counter to some of the realities of personal, family, and community connections over centuries.

³Hazel Hertzberg, *The Search for an American Indian Identity* (Syracuse: Syracuse University Press, 1971), 26.

Among those especially vulnerable to whites' efforts to minimize the opportunities of Virginians "of color" were non-reservation Indian people who, whatever their memory and/or ancestry of white, red, and black forebears, could be classed by whites as undifferentiated non-whites. Not all people who had some Indian ancestry became members of the organized tidewater tribal groups, as exemplified by some families in New Kent County.⁴ Despite interactions and intermarriages with Indian individuals and communities, some people of Indian descent might find themselves, or choose to stay, outside the organized tidewater Native groups. Virginia's racialist legal and political structures constrained some people perceived as having a "mixed" racial identity, and some barriers to Indian identity, as we will see, were imposed by organized and reservation tribal groups despite centuries of interactions with white and black neighbors.

Even before Walter Plecker's "racial integrity" campaign, white Virginians found it convenient to believe that intermarriages of Africans and Afro-Virginians with Virginia's Indian groups cast doubt on all or almost all of Virginia's Native Americans' claims to Indianness. In the nineteenth century, non-reservation people with African American as well as Native American ancestors had few opportunities within Virginia's governmental systems for any legally recognized racial status other than white on the one

⁴ See Rountree, *Pocahontas's People*, 190-191 and 270. For example, Helen Rountree describes some of the non-reservation Virginia Indians as part of a "New Kent fringe people." She uses this term for people who had connections to Native American groups, but who might marry into a "core" group of Indians or live just outside it. While some scholars usefully write about people in cultural and social enclaves as having boundaries with degrees of permeability, Rountree argues that a broader spectrum of behaviors and cultural identities can be described using the notion of a continuum, based around a core group, that ranges from core to fringe.

hand and black or “mulatto” on the other.⁵ Particularly by the 1830s and 1850s, for non-reservation people of Indian or African-Indian descent, it probably got increasingly difficult to maintain a legal identity outside the official categories in which free black people and other free people “of color” were subject to serious legal discriminations and restrictions.

White Virginians engaged strenuously in constructing concepts of race rationalized by ideas about biological heredity. They might, at a hypothetical level, recognize cultural and social differences between Native Americans and African Americans. In the context of the everyday exchanges of social and economic life, white neighbors of people of “mixed” Indian “blood” might acknowledge and accept them as Indian. Still, even at times when laws in Virginia defined “mulatto” differently from “negro,” the legal and official consequences of racialism for people of “mixed blood” were often similar, at least in the arena of the law. Legal definitions of race by whites in Virginia tended toward enforcing race as a black-white binary, so that the most important single distinction in law was whether one was white or not.

⁵This general trend can be traced to the seventeenth century. One student of the construction of race and gender in colonial Virginia argues that Virginia whites came by the end of the eighteenth century to “disaggregated” views of blacks and Indians as people with different racial and ethnic identities based in different historical relationships with white Virginians. This may have been true in the eighteenth century, for people who were on reservations, and for those who could successfully claim Anglo-Indian ancestry. There is anecdotal evidence that non-reservation Native Americans in colonial Virginia could fare somewhat better than they did in the nineteenth century. Kathleen Brown has said that “Although individuals of Indian descent suffered from many of the same disabilities as Afro-Virginians, they could and occasionally did use claims to Indianness to achieve some relief.” It is unclear, though, how representative such occasional cases were of the experiences of larger groups of free people in Virginia of Indian or Indian- and-African American parentage. See Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture, 1996), 243-244.

This trend was not a uniform process that escalated unremittingly, and so here we will look briefly at some strands of the context for the post-Civil War history of Virginia Indians. From the seventeenth century on, many white Virginia officials seemingly saw “mixed race” people as a significant threat to the institutionalization of racialized slavery, as it became increasingly important in the colony’s workforce and economy. Unions between Native and African-American people were happening, but before the seventeenth century ended, legal processes in Virginia tended to emphasize as the most important legal racialized distinctions those between whites and all others (as in the 1691 law on “interracial” marriage mentioned earlier). The Virginia “black” laws of 1705 included Indian and mulatto slaves along with black ones when it affirmed that slaves could be inherited like real estate.⁶ They also defined “mulatto” to include persons whose “mixed” ancestry included a Native American parent, not just African “blood.” These laws restricted “Negroes, mulattoes, and Indian servants, and others, not being christians” from office-holding and from participation as witnesses in the General Court.⁷ For “citizen” non-reservation Indians who had little economic power, Helen Rountree has argued that despite the harshness of this code, it had little day-to-day impact outside the arenas of politics and the courts.⁸ Still, it is important to recognize that if getting involved in politics or the courts, or possession of coveted economic resources, could be risky for Virginia Indians, that indeed cast a shadow over day-to-day life.

⁶Warren M. Billings, “The Law of Servants and Slaves in Seventeenth Century Virginia,” *Virginia Magazine of History and Biography* 99 (Jan. 1991): 61.

⁷Brown, *Good Wives*, 182, 213-216.

⁸Helen C. Rountree, “Ethnicity Among the ‘Citizen’ Indians of Tidewater Virginia,” in *Strategies for Survival: American Indians in the Eastern United States*, ed. by Frank W. Porter, III (Westport, Conn.: Greenwood Press, 1986), 177.

This is the context for understanding how things changed after the Civil War, with the growth of state methods and institutions for segregation and disfranchisement. If before the 1860s, Powhatan groups might accept people “at least as fringe members” who married into and participated in the group, on the basis of kinship and social ties, not just biologically Indian parentage, that situation changed in the decades after 1865.⁹

Another part of the context for this shift is whites’ fears of race “mixture” in the nineteenth century. While the descendants of Pocahontas’s son Thomas Rolfe included prosperous and elite whites, the offspring of other, less-celebrated, unions of Indians with whites or blacks could be stigmatized as low-caste people.¹⁰ Many ante-bellum southern whites grew increasingly fearful both of the possibilities of violent organized uprisings by groups of enslaved people, and of the possibility that free black populations contributed to that unrest if only by contrast and example. “Amalgamation” then raised issues for whites even as a literary device and even when it involved Indians rather than African Americans, whereas earlier it had been possible for white intellectuals like Thomas Jefferson to fantasize about unrealized possibilities of white-Indian marriages. Pocahontas could be seen by whites as an example of how an Indian “princess” might be de-tribalized, Anglicized, and Christianized. As a “good” Indian, whose sacrifices furthered the interests of whites, she could be a mythical vehicle for whites’ sentimental reverence, and even be made a key part of a myth about national origins. In that guise, she appeared in numerous theatrical productions and published fiction for white audiences. Generally, though, in the ante-bellum nineteenth century, fictional Indian-

⁹Rountree, *Pocahontas’s People*, 189, 191-192

¹⁰Robert Tilton, *Pocahontas: The Evolution of an American Narrative* (Cambridge: Cambridge University Press, 1994), 12-18, 25.

white marriages as portrayed in mass entertainment were typically problematic. Representations of Pocahontas (or Pocahontas-like characters) in published fiction and drama were popular, but in many of these productions, the focus had to be on the story of her rescue of John Smith. Robert Tilton points out that her actual marriage to John Rolfe and her motherhood might be avoided or ignored.¹¹ Such fictional productions were popular at a time when the Pamunkeys' white neighbors were arguing that the reservation Pamunkey no longer existed as a racially "pure" people, and asserted that their reservation (lands which were surely a primary factor in their survival as a group) should be broken up.

When leaders such as Gabriel and Nat Turner became foci for whites' fears in the wake of the uprisings of 1800 and 1831, the legal climate in Virginia for non-whites became even more repressive. The Gingaskin reservation on Virginia's Eastern Shore, for example, was broken up and allotted after 1813. Whites justified this largely on grounds that the community had extensively married with blacks, and harbored disreputable free blacks and mulattoes. Much of that Gingaskin land was eventually sold by the residents, but a significant number of the allotted plots were retained by people formerly of the reservation until after Nat Turner's insurrection.¹² This episode demonstrates that even before general emancipation, white Virginians might exert considerable legal and other pressures to deny other Virginians a status other than black or "mulatto," and that the stakes could be quite high: the very lands that were the basis for an Indian community's existence. While all non-whites could be ensnared in this increasingly restrictive

¹¹Tilton, *Pocahontas*, 25-27, 51-52, 55, 58-92, 148.

¹²Thomas E. Davidson and Helen C. Rountree, *Eastern Shore Indians of Virginia and Maryland* (Charlottesville and London: University Press of Virginia, 1997), 189-193.

environment, there is some evidence of efforts by Native people to seek distinctions within the essentially black-white framework of racist Virginia law. An 1833 law provided that individuals of Indian descent might be considered “persons of mixed blood, not being free Negroes or mulattoes” if at least one white person would support this claim in county court. There may be no evidence that anyone other than people of Nansemond descent took advantage of this.¹³

In this climate even the reservation Pamunkey and Mattaponi people encountered white resistance to their identification as Native Americans, and intermarriage with African Americans could be viewed by whites as a total loss of Indianness. In 1843, local whites petitioned the state legislature either to sell all the Pamunkey lands and give the proceeds to those “as can show their descent from Indian stock,” or at least to divide all the land among individuals who could demonstrate Indian ancestry. The petitioners anticipated that, in the latter case, the right to sell the land would “in the progress of time, lessen or remove the present grievance.” The petitioners’ stated grievance was twofold. They said that Pamunkey claims to the reservation land as a group should be voided because intermarriages with blacks made them legally mulattoes rather than truly Indian. Second, they claimed that the reservation presented a grave danger to local slaveholders, as a body of free people of color, as a refuge for runaway slaves, and as a place of resort for disreputable whites.¹⁴ That petition did not lead the state legislature to action, but it surely had an impact on Pamunkey and Mattaponi thinking about how to maintain their

¹³Rountree, *Pocahontas’s People*, 190, 193..

¹⁴Transcription of “A Petition from Citizens of King William County, Virginia” (MS petitions, King William County, B 1207), 20 January 1843, ms. 3695, National Anthropological Archives, Washington, D.C.

group identity. For the reservation people, it underlined the fact that maintaining distance from people of African ancestry could be a matter of group survival. To complicate the matter, to most whites, the material and religious culture of such people must have seemed quite similar to their own by the 1830s.¹⁵ Reservation and non-reservation Native people spoke English. They attended Christian churches, and dressed like their neighbors. They could thus be categorized as mulattoes or “mixed” bloods, subject to the varied laws about “free people of color” designed to protect a system of racialized slavery.

Free blacks and “mixed” people posed questions and, in the minds of some whites, a clear threat to that system, for they complicated the black-white categories that made it easier to instantly recognize who was enslaved or black. One example of those complications is documented in the story of a man named Jones Pearman, listed in the New Kent County federal census of 1860 as a male mulatto aged thirty and born in Virginia. Either he was long-lived, or the Jones name ran in the family, for that name arises decades later in the work of an early anthropologist interested in Virginia’s Indians—as a Indian person, not a “mulatto.” In 1889, James Mooney sent a circular to a number of people in the region, inquiring on behalf of the Bureau of American Ethnology about Indian place names, archeological remains, and names of any living individuals “of Indian descent.” One positive response came from a resident of Henrico County, who said that “There are a few persons of mixed blood in my neighborhood, said to be of the

¹⁵Rountree, *Pocahontas’s People*, 187. Rountree says that “by 1830, the core people among the Powhatans had Anglicized so much that they were no longer easily recognizable to outsiders as ‘real’-- that is, pre-Contact-- aborigines.”

Pamunkey tribe. The best known of them is J. T. Pearman....”¹⁶ Helen Rountree has identified this man as Jones Pearman.¹⁷

Over decades after the Civil War, Virginia whites built a renewed framework for racialized political, economic and social dominance, including disfranchisement of most African Americans and institutionalized segregation. In response to this climate, in the late nineteenth and early twentieth centuries, reservation groups, and several non-reservation groups, took varied steps publicly to claim and re-claim identities as Indians. In so doing, they became the focus of the effort within Virginia’s Bureau of Vital Statistics to prevent non-reservation people who claimed Indian ancestry from escaping the consequences of Virginia’s racialized laws. Native peoples’ very success in carving out Indian organizations, identities and spaces brought unwanted attention from people like Plecker and his supporters as well as some kinds of support from white “friends.”

The organized tidewater Indians’ strategies may be categorized in two broad areas: efforts publicly to assert Indian identities through performance and costuming, and the building of distinctively Indian institutions. In these processes they sometimes made explicit statements designed to call attention to their separation from African American neighbors. One of the earliest responses to the changed climate at the end of the Civil War by the people of the Pamunkey and Mattaponi communities was that they moved to

¹⁶Response of sp? Garthon Archer, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912,” ms. 2190, National Anthropological Archives, Washington, D.C.

¹⁷Rountree, *Pocahontas’s People*, 191, 342.

separate from existing congregations to form their own Baptist church.¹⁸ The first version of the Pamunkey tribal “laws” that got published, laws adopted in 1886-87, prohibited marriage with non-Indians or non-whites. That prohibition was the first on a short list of tribal rules; the penalty for marrying someone who was not either white or Indian was the loss of rights to live on the reservation.¹⁹ Later, the Pamunkey got a ruling that gave them an exception within Virginia’s law requiring racial segregation in railroad cars. In an article published in 1907, James Mooney reported from his field work that

To prevent annoyance when traveling, under recent Virginia legislation the Pamunkey now carry official certificates of tribal membership; and for similar reasons the unorganized Chickahominy and Nansemond are recently making strong effort for state recognition as Indian tribes, such as is accorded the Pamunkey and Mattapony and the so-called “Croatan Indians” of North Carolina.²⁰

At the same time, the Pamunkey took steps toward other Native American groups, including the Cherokee, to see whether marriages between them could be encouraged. When at least one Pamunkey man attended the World’s Columbian Exposition in Chicago in 1893, possibilities of marriages were discussed with representatives of other tribes.²¹ Attempts to create distance from black institutions and individual blacks can thus be seen as part of an overall context and strategies that included efforts to link with other Indian groups.

As disfranchisement and segregation developed in Virginia, punctuated by a new state constitution in 1902, tribal organizations developed in addition to those of the

¹⁸Rountree, “Ethnicity Among the ‘Citizen’ Indians of Tidewater Virginia,” 190-191.

¹⁹John Garland Pollard, “The Pamunkey Indians of Virginia,” Bureau of American Ethnology *Bulletin* 17 (Washington, D.C.: U.S. Government Printing Office, 1894), 16.

²⁰James Mooney, draft of “The Powhatan Confederacy, Past and Present,” *American Anthropologist* vol. 9, no. 1 (1907):31, in ms. 2199, National Anthropological Archives, Washington, D.C.

²¹Christian F. Feest, *The Powhatan Tribes* (New York: Chelsea House Publishers, 1990), 79.

Pamunkey. These were formal organizations with legal charters, rules, and sometimes tribal rolls and dues. The people on what is now Mattaponi land, who had been generally regarded as part of the Pamunkey reservation group, created a tribal organization of their own, sanctioned by state law, in 1894.²² The Chickahominy, who were and are without reservation lands, took their first steps to modern, formal organization as a tribe in 1900, just as the Pamunkey were gearing up for their fight against the new Jim Crow law regarding train travel in Virginia. By 1904, the Chickahominy were issuing certificates attesting to tribal membership. One example of those certificates now in the National Anthropological Archives shows the formality the Chickahominy had achieved. It is signed by the Chief, Second Chief, clerk and trustees for the tribe, who “do hereby certify that the bearer... is a member of the Chickahominy Tribe of Indians, and is entitled to all rights and privileges accorded the said Tribe of Indians.”²³

Virginia tidewater Indians, in the course of carving out identities for themselves that were neither black nor white, constituted at least a theoretical challenge to the “color line” conceived as a black-white binary, tidewater Indians did not directly pose a comprehensive question about the fundamental justification for a racialized color line of some sort. Tidewater Indians’ public performances and separate institutions, such as churches and schools, seem designed to distance them from their black neighbors as well as to assert Indianness, just as their reaching out to other Native groups for marriage partners may be read as acceptance of the basic premises undergirding Virginia’s miscegenation law.

²² Rountree, *Pocahontas’s People*, 189, 211.

²³ Copy of certificate, dated 8 November 1904, in ms. 112, National Anthropological Archives, Smithsonian Institution, Washington, D.C.

Churches, particularly, were key institutions and remain so today. When the Dover Baptist Association, one of the regional groupings of Baptist congregations that make up the Statewide Baptist organization in Virginia, held its annual meeting in 2006, they convened at the Samaria Baptist Church—a church formed as a Chickahominy church in 1901. The Association’s minutes on that gathering report that “...Ken Custalow of the Mattaponi Indian Church opened the meeting with a prayer in the native Algonquian language.” The meeting also featured “craft demonstrations, a traditional Native American meal, and an intertribal drum prelude.” After the business session, “the program portion of our meeting began with an historical overview of the roles played by the Native American tribes in Virginia history.” Chief Stephen Adkins of the Chickahominy (a Samaria member) spoke, as did Wayne Adkins (“Chickahominy Assistant Chief” and also a Samaria member). There were “testimonies” by six people representing each of “the six tribes and the six related Dover churches.” The concluding song of benediction was “interpreted ... in Indian Sign Language.”²⁴

Given that by 2006, Virginia’s state-recognized tribes had so firmly established themselves as public bodies, the Native leadership at this 2006 meeting is not surprising. What might seem surprising, however, is that in 2006 Native Baptist people had been active for more than a century, not just in individual Indian congregations, but also in the Dover Baptist Association. The Dover Baptist Association was, for a significant part of its history, a grouping of white Baptist congregations. The establishment of “Indian” churches within the Association, beginning shortly after the end of the Civil War, marks

²⁴ Minutes of the Dover Baptist Association 223rd meeting Oct. 22, 2006, copy in file folder on Samaria Baptist Church at Virginia Baptist Historical Society, Richmond, Virginia.

an important facet of the concerted effort by tidewater Virginia Native peoples to build separate community institutions of their own, and to assert their identities as Indians on public stages, in order to mark their racialized identity as red, not black, in the eyes of other Virginians.

White and black Baptists in the South, of course, have a complex history together and apart, a history that includes, in ante-bellum times, worship under the same roof as well as in segregated churches. At the Lower College Baptist Church (later called Colosse Baptist) in King William County, the Works Progress Administration noted that “Early membership included Pamunkey Indians and Negroes.”²⁵ (The thirteen Indian members documented in 1791 at the Lower College church are considered the earliest recorded instances of Native membership in a Virginia Baptist church.²⁶)

The ambiguities and disabilities of Baptist membership for enslaved people are illustrated in the history of Lower College Baptist Church. The “minute book” for that church includes a November, 1827, resolution that “this church receive no more slaves as members of this church except they bring notes from their masters, mistresses, or overseers.”²⁷ Still, the mix of peoples—black, red, and white-- within the church was part of a climate that allowed at least some influence and activity by African American members. In June 1828, at a church meeting held “at the Pamunkey Indian town” and attended by a majority of male members, “A committee of coloured members was appointed to deal with coloured members in New Kent belonging to this church” and

²⁵ Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association*. (Richmond, Virginia: The Virginia Historical Records Survey Project, 1939), 8.

²⁶ Daniel Slabey, “First Indian Baptist Church in Virginia,” *Religious Herald*, 2 September 1965, 6.

²⁷ Colosse/Dover Minute Book, 1814-1834, microfilm at Virginia Baptist Historical Society.

“report their proceedings to the church.” The minutes refer to the appointees, in keeping with Baptist custom, as “brethren.” Some of these brethren seem to be identified only by first name, probably a sign of enslaved status, while others receive the honorific “Mr.”²⁸

Baptist worship services were held on the Pamunkey reservation at least as early as 1859, even before there was a separate, organized Pamunkey church or church building.²⁹ Probably forms of acknowledgement by white Baptists of non-whites, such as holding a meeting on Pamunkey land, were important among the reasons an ante-bellum tidewater Indian might be Baptist. Through the antebellum period, then, it was possible for a Southern Baptist congregation in tidewater Virginia to embrace white, black, and red worshippers at some level. Even so, as early as 1854, at a time when there were forty-two Native American members of Colosse, “... while they attended Colosse’s services once a month, they also held religious meetings of their own on the reservation every Sunday. John Langston, a member of the tribe, was the leader of the religious meetings.”³⁰ Distance and bad roads undoubtedly made local worship attractive, but surely also part of the attraction for the Pamunkey was the opportunity for local leadership and community-building.

In the post- Civil War era, the strong trend was toward increasing separation between southern black and white Baptists. In Virginia, Dover Baptist Association history bears witness to that trend. In 1865 at least six, if not seven, “African” Baptist

²⁸ *Ibid.*

²⁹ Slabey, “First Indian Baptist Church in Virginia,” 6.

³⁰ Fred Anderson, “Pathways in Baptist History,” *Religious Herald*, 15 May 2003.

churches left the Dover Association for the “Colored Shiloh Association.”³¹ The departure of African American congregations for a black regional association presumably reflects both the imperative, in the wake of emancipation, for African Americans to exercise autonomy and authority in their lives as church-goers, and also resistance by white Baptists to that quest.

Native people in tidewater seem to have approached the Baptist organizational structure differently than the people in the African American congregations who departed the Dover Baptist Association. The same year, 1865, when so many African-American congregations were leaving the Dover association, a new church, the Pamunkey Indian church, organized. Native congregants left Colosse to form a church whose identity was specifically Indian. Virginia Baptists today recognize this church as the first of the State’s organized Indian Baptist churches. Colosse itself doubtless became a whiter congregation as a result of Indian departures at this time. Still, it seems very likely that separate congregations were more useful to tidewater Native Virginians than they were to whites interested in segregated churches. The tidewater Indian churches were places marking Native communities as separate and distinct from black and white communities, as well as places for building intra-group community and identity. It was probably obvious to tidewater Natives as well as African Americans that white Virginians would, in the wake of the destruction of slavery, seek other means of preserving white privilege and power. Black Baptists in Virginia had already achieved some churches and congregations of their own before the Civil War, but tidewater Natives established

³¹ Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association*. (Richmond, Virginia: The Virginia Historical Records Survey Project, 1939), xxiii.

specifically Indian churches only in the post-bellum period. Unlike African-American churches that departed the white-led Dover Baptist Association, Native Baptists in tidewater sought membership in that Association as it was becoming a grouping of white congregations after 1865.

Leaders in the initial organization of the Pamunkey Baptist Church included white clergy, a white deacon from Colosse, and two white laymen. “Twenty-five Indian members of the Colosse Church” participated in the initial meeting in 1865.³² (At least some of this group of twenty-five had been identified as “mulatto” in the 1860 census of King William County.) They subsequently moved to represent their church formally to the Association, and thereby to larger white Baptist world. The Pamunkey Church did become part of the Dover Baptist Association, and the church’s members did face white concerns about racialized identities.³³ Exemplifying the general climate, a “Committee on Application of Pamunkey Church” appointed in 1868 made the following report: “The committee, to whom was referred the question of altering the first article of our Constitution, so as to omit the clause, ‘all of whom shall be white persons,’ respectfully recommend that the change be not made.”³⁴ Initially, the Pamunkey church’s delegates to Dover Association meetings were its white leaders, not its Indian members. The Pamunkey church lost little time in petitioning the Association that “it should be

³² Slabey, “First Indian Baptist Church in Virginia,” 6.

³³ Photocopy of typescript page with handwritten header “Pamunkey (Indian) Baptist Church” in Virginia Baptist Historical Society folder on “Pamunkey Indian” church, Virginia Baptist Historical Society, Richmond, Virginia.

³⁴ Photocopy of page 13 from 1869 *Minutes* of the Dover Baptist Association in Virginia Baptist Historical Society folder on “Pamunkey Indian” church, Virginia Baptist Historical Society, Richmond, Virginia.

represented by its own members.” By the 1880s, Pamunkey people were indeed representing the church at some meetings of the Dover Association.³⁵

From its beginnings it seems that this Pamunkey church was a focal point for stabilization, creation, and re-creation of Native identity. When the Pamunkey Baptist church building was dedicated in 1866, the sermon, delivered by a white pastor, included what sound like standard exhortations to the congregation to “live Christ-like lives and train their children to glorify God in their homes... to establish a Sunday School and hold weekly prayer meetings...” What was not standard in this sermon was that this minister also spoke of Powhatan Indians as people who shared a distinctive cultural past, and he was flowery in talking about the history of their first contacts with English colonists.³⁶

By 1873, a Pamunkey man acted as pastor of the church, and the first leader of the Sunday School bore a typically Pamunkey surname. A pattern of Native leadership in managing this church’s affairs continued after that. Pastors were frequently, but not always, white men over the years. Still, by 1891, the Dover Association articulated a principle that a member of the Pamunkey church who “shall give good evidence of being called of God to the ministry” might receive help “in securing educational qualifications for preaching the Gospel.”³⁷ Perhaps this recommendation reflects a lack of confidence among the Dover Association’s white Baptists in the general education levels among the Pamunkey compared to white Baptists in the region. Still, it was an overt statement that an Indian church could seek Association help in developing ministerial skills in Indian

³⁵ Slabey, “First Indian Baptist Church in Virginia,” 6-7

³⁶ *Ibid.*

³⁷ *Ibid.*

church members. In 1901, the Pamunkey leader George M. Cook was the first Indian member-delegate to the statewide Baptist General Association.³⁸

Besides representing the community to the white world, the Pamunkey church served intra-community functions, such as hosting an annual “Home Coming.”³⁹ As other Indian congregations formed over the years, they similarly served not only to mark Indianness to non-Indians, but also to build group ties within individual Indian communities. Sometimes these churches fostered connections between Native communities, too, as Indian individuals attended churches of neighboring groups. Except among the Nansemond people, who had at one time a Methodist church, these tidewater churches developed as Baptist congregations and became part of the by-then white Dover Baptist Association, which probably facilitated intra-community functions of these churches.

Often, for non-reservation groups, the formal establishment of a separate church coincided with establishment of a general tribal organization, and the links were tight. It appears that some people did not join “Indian” congregations even though their family histories and so their potential claims to Indianness were similar to those of individuals who did join. It also seems that some such people who did not join Indian congregations also did not join the new non-reservation tribal organizations. Chickahominy people, for example, formally organized their own congregation, the Samaria church, in 1901, around the time of their formal announcement of their organization as the Chickahominy tribe. Helen Rountree has reported “oral tradition” that this formal move followed a

³⁸ *Ibid.*, 7.

³⁹ “Indian Churches and Schools in Virginia,” *Religious Herald*, 9 March 1950, 12.

period when a local church, which had been racially “mixed” before the Civil War, became a largely black congregation, at which point some Chickahominy people abandoned it for another local church attended by whites. One story has it that tensions surrounded this move, and that some Chickahominy families who remained in the “black” church were among those who did not, later, join the Chickahominy tribal organization.⁴⁰

Years later, the first pastor of Samaria testified to the degree to which the organized Chickahominy and white associates accepted and participated in racialized segregation in the church sphere. In 1920, the Reverend Mr. Philip Throckmorton provided a notarized statement that, while considering a call to Samaria Indian Baptist Church in 1901, he made inquiry of a local judge who reassured the pastor that “these people were recognized by his court as Indians and that he held them in high esteem and advised me to except [sic] the call. After receiving his letter I accepted the call....” Perhaps reacting to the kinds of questions and pressures that would later erupt in the miscegenation campaign of Powell, Plecker, and Cox, Throckmorton added “Since I have had this charge I have married about forty couples from that tribe and this court always issues the license as Indians.”⁴¹

Tsena Commocko church formed in 1922, as part of a split of Chickahominy people into eastern and western groups, a split that involved questions about who should be pastor and whether the Chickahominy should seek to establish a reservation.⁴² This

⁴⁰ Rountree, *Pocahontas's People*, 202.

⁴¹ P. E. Throckmorton, notarized statement, 4 Feb. 1920, ms. 112, National Anthropological Archives, Washington, D.C.

⁴² Rountree, *Pocahontas's People*, 218.

church's formal organization was preceded in 1920 by a Sunday School organized by "a group of ladies from the First Baptist Church of Richmond" and from the Dover Baptist Association.⁴³

The Mattaponi, with their close connections to the Pamunkey, organized a separate church only in 1932, "bringing letters from Pamunkey church" in accord with Baptist practice.⁴⁴ Like the Pamunkey church, this church sought ties to the Dover Baptist Association. The organization of this church apparently represented the culmination of a process in which "missionary" services had been held in the Mattaponi school building from about 1914 by various Baptist pastors.⁴⁵ Church history reports that "representatives of the Pamunkey, Chickahominy and Rappahannock Indian Tribes, and many prominent citizens of the county, of Richmond, and other places" attended the Mattaponi church building dedication in 1935.⁴⁶ Thus, the church served intra-community functions, but its utility also lay in its recognition and support by other tidewater Indian groups and by whites.

After holding Sunday school in the Sharon School building for a time, the Upper Mattaponi formed their own church, Indian View, in 1941-1942. Church history says the Upper Mattaponi had been attending churches established by the reservation groups, noting that it was during the period after 1920, when Sunday school and other services were held in the Sharon school building, that the Upper Mattaponi "were organized into a

⁴³ "History of Tsena Commocko Baptist Church" single page in Virginia Baptist Historical Society folder on "Tsena Commocko" church, Virginia Baptist Historical Society, Richmond, Virginia.

⁴⁴ "Indian Churches and Schools in Virginia," *Religious Herald*, 9 March 1950, 12.

⁴⁵ Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association*. (Richmond, Virginia: The Virginia Historical Records Survey Project, 1939), 42.

⁴⁶ J. B. Hill, "Dedication of Mattaponi Indian Baptist Church," *Religious Herald*, 6 June 1935, 8.

body...” and that “The Indian View Baptist Church was received in to the Dover Association April 16, 1946.”⁴⁷ Thus, the churches often had links to another important community- and identity-building institution, a school for Indian children. By at least 1950, like the Pamunkey church, the Indian View Church was holding a “Home Coming,” which would also have strengthened community ties.⁴⁸

Minutes of the annual meetings of the Dover Baptist Association in the 1920s show a continued pattern of involvement by tidewater Indians in the Association’s affairs, as well as in managing their own churches. This included acting as delegates from their churches to the Association’s annual sessions, and participating actively in discussions and reports at those meetings. For example, “Chief G. M. Cook” was one of a group of three who submitted the “Report on Temperance to the Dover Baptist Association for the Year 1921.” George Cook in 1921 was also tapped to join the Association’s standing committee on Home Missions. At the 1921 meeting, the Association had heard a report about “home missions” that included Baptist work “among the foreigners, Indians and negroes...”⁴⁹ (Typically the committee report recounted the year’s activities of the national Home Mission Board of the Southern Baptist Convention.) One wonders whether Chief Cook wanted to be on the committee on home missions in order to underscore that his church’s congregation were established Baptists on par with other Association congregations, and so could guide missionary

⁴⁷ Photocopy of printed page with header “History of Indian View Baptist Church” in Virginia Baptist Historical Society folder on “Indian View Indian” church, Virginia Baptist Historical Society, Richmond, Virginia.

⁴⁸ “Indian Churches and Schools in Virginia,” *Religious Herald*, 9 March 1950, 13.

⁴⁹ *Minutes of the One Hundred and Thirty-eight Annual Session of the Dover Baptist Association/Held with Hebron Baptist Church, King William County, Va., July 19, 20, 21, 1921* (Richmond, Virginia: Clyde W. Saunders, 1921.), 3-4, 25, 33, 40.

activities rather than being in need of missionizing. Perhaps Cook also wanted to secure some influence in the tone and content of reporting within his home Association about Baptist work among other Native groups nationwide.

Ties to the Dover Baptist Association proved helpful to the organized tribes in the wake of the campaign Plecker and his colleagues unleashed against Native identities after passage of Virginia's 1924 "racial integrity" law. Supporters of that law advocated in 1928 some related legislation in order to address what they regarded as weaknesses in the 1924 law. As a church history cautiously reported decades later, the 1928 bill would have altered "the traditional civic and social standing of Virginia Indians. Several Indian churches were affiliated with the Dover..." This history reported further that at the Dover annual meeting in 1928, R. A. Bradby, a member of the Tsena Commocko church, "delivered an address... on 'Indians in Virginia.' The Association asked its Executive Committee to protest the proposed legislation of 1928, and the bill was defeated."⁵⁰

Minutes of the Association annual meetings do not provide evidence that the Dover Baptist Association took a position in debates about the earlier 1924 "racial integrity" legislation. By 1928, though, tidewater Indians had established their own program of public resistance to a new racialized bill before the state legislature, and apparently they brought the Association along. At the 1928 Dover Baptist Association annual meeting, Tsena Commocko church was well represented, perhaps in part because Plecker had directly targeted Chickahominy people in some of his activities. In the

⁵⁰ William L. Lumpkin, *A Chronicle of Christian Heritage: Dover Baptist Association of Virginia, 1783-1983*. (Richmond, Virginia: Skipworth Press, 1983), 173-174.

Association annual meeting minutes for the first day of the 1928 meeting, a “Report of the Executive Committee of the Dover Association” said, among other items of business:

At the recent session of the General Assembly of Virginia, a bill was introduced by certain individuals which would have altered the traditional civic and social standing of our Indian brethren, and produced serious complications in the long established relations of their churches to this body. A number of the members of your Committee took an active part in informing the Senators of the facts in this matter, and with the able leadership of Senators Wickham and Haddon, the bill was overwhelmingly defeated.⁵¹

Perhaps the concern that the 1928 bill could have called into question the racialized identities of members of some Dover Association churches as Indian, rather than black, was too obvious and/or too delicate to spell out more directly than this. R. A. Bradby’s address came the day after this Executive Committee report, and so it seems likely that the Committee’s action reflected a concerted effort by members of Indian churches even before the annual Association meeting.⁵² Mr. Bradby may also have seen the meeting as an opportune time to press further to educate Association delegates about his community’s Native identity.

The willingness of the Dover Baptist Association to engage in direct advocacy about proposed legislation of any kind appears even more remarkable when considered in the context of contemporary Baptist discussions about separation of church and state. The 1928 bill on racialized identities arose and was defeated at a time when the Virginia Baptists were arguing the issue of political activity because the candidacy of Al Smith had raised issues about another cherished issue for Baptists, temperance, and about

⁵¹ *Minutes of the One Hundred and Forth-Fifth Annual Session of the Dover Baptist Association Held With Hopeful Baptist Church, Hanover County, Virginia July 17th and 18th, 1928* (Richmond, Virginia: Interstate Printing Corporation, 1928), 4-7, 10.

⁵² *Ibid.*, 21.

southern allegiances to the Democratic party. On July 18, 1928, the Dover Baptist Association resolved in regard to that electoral conflict the following:

We recognize fully that Baptist churches and our other denominational bodies exist for spiritual ends, and that they can properly take no action in purely political affairs or exercise authority over the individual conscience in any matter.⁵³

Clearly, tidewater Indians were quite capable of finding white allies in their fight even at the peak of Jim Crow in Virginia. Still, the battle about the 1928 legislative proposal is an instance in which their actions may be read, in some sense, as fundamentally supporting, because they did not undermine, the notion of racialized color lines. They sought to separate themselves from African Americans rather than to critique segregation, as their allegiance to the white-led Dover Association shows.

Indian schools also showed tidewater Native acquiescence in segregation. By 1890, a Virginia newspaper noted approvingly and reassuringly that the Pamunkey reservation people

...support their own schools, and provide their own teachers. They have their own places of worship, which are under the control and direction of the Baptist denomination of Christians. They are amiable and unoffending in their intercourse with their white neighbors....⁵⁴

The post-Civil War development of separate schools for Virginia's reservation people and the later development of Indian schools for non-reservation Powhatan groups fits into the context of the development of segregated schools generally in the South of that era.

⁵³ "The Dover on the Present Situation," *Religious Herald*, 2 August 1928.

⁵⁴ "Tribe of Pamunkey. Conclusion of Their Most Interesting History," Richmond, Virginia, *Daily Times*, 2 November 1890, copy in ms. 2197, National Anthropological Archives, Washington, D.C.

These schools were also connected with movement toward other segregated tidewater Indian institutions—new tribal organizations for non-reservation groups and Baptist churches. Unlike the churches and tribal organizations, though, these schools could be envisioned by whites as significantly under the wing of state and county governing systems.

The handful of Virginia Indian schools also arose within and against the context of national, federal, policy of the late nineteenth century, which saw federal reservation schools and non-reservation boarding schools for federally recognized tribes develop into a national system with federal money, design and control. Segregated schooling for Indians in Virginia did not involve federally recognized tribes and so was outside that federal effort. Practically speaking, Virginia's tidewater Indians did not share all the geographical and demographic characteristics that were among the factors behind establishment of federal Indian schools on remote reservations in the western States.

Separate Indian schools in Virginia did, though, fit some of the felt needs of Virginia Indian communities struggling for recognition as red, rather than black or white, people, given the overwhelming biracial nature of Virginia's segregated school systems. They served not only to emphasize social distance from African Americans, but to link Virginia's organized Native groups in some ways. Hazel Hertzberg has described how the federal national program of Indian schools functioned (and not by federal officials' intent) among the factors that, by the 1890s, could foster communication and cooperation across tribal lines. While federal schools for American Indians were essentially designed to make Indians more like European-Americans, and the use of Native languages was discouraged, the federal schools did foster connections among students from different

groups, in part because the emphasis on English provided graduates with a common language they could use in forging relationships with members of other tribes.⁵⁵ Some of these factors operated, if in different ways, among tidewater Virginia Indians. Virginia Indians were already English speakers, of course. Still, in rural tidewater Virginia, the Indian schools did provide some fresh opportunities for communication and cooperation across tribal-organization lines in Virginia, connecting reservation and emerging non-reservation Powhatan groups. As “amiable and unoffending” Indians who lived in some ways much as their white and black neighbors did, the Powhatan groups were surely not at this time viewed by their white neighbors as needing the kinds of aggressively assimilative educational programs that were the goal of the Federal investment in Indian schools in the West and at the Carlisle school in Pennsylvania and Virginia’s Hampton Institute. In fact, whereas federal schools were intended until the 1930s to be destructive of tribal identities, Virginia’s few tidewater Indian schools (as day schools) were important focal points for construction of specifically Indian and Powhatan identities for years, until state support vanished in the aftermath of the *Brown v. Board* decision.

Since there were no federal schools specifically for Indians in Virginia, tidewater Native parents in the organized Powhatan groups made sacrifices and devoted scarce resources to build local schools for their children, in an effort to build Indian community and identity, and to underline their separation from African Americans. Further, in a twist on Hertzberg’s argument about the unintended effects of federal Indian schools in building bridges between members of varied tribal groups, Virginia Indians might also send their children to schools for Indian children in places as far-flung as Bacone College

⁵⁵Hertzberg, *Search for an Indian Identity*, 14-15.

in Oklahoma, and the federal school at Cherokee, North Carolina, for the secondary education that was hard to finance for these relatively small and rural tidewater Indian communities.

The tidewater Indian schools were specifically Native institutions and focal points of community activities. Still, it is important not to lose sight of what seems to have been a major impetus for their establishment: organized Powhatan groups' assessment that to send their children to "colored" schools would take one more step toward losing Indian identity and create one more set of arguments that whites could use to argue that they should be considered racially black, not red. Thus, separate Indian schools grew up alongside separate white and black ones as an aspect of segregation in Virginia, though the Indian schools seem to have been small, perpetually struggling institutions compared to the investment North Carolina made in Indian schools, particularly among the Lumbee people of Robeson County.

As the Richmond *Daily Times* article cited above noted, Virginia Indians for many years were largely responsible for supporting their own schools, if they wanted a local school of their own, separate on a racialized basis. Tidewater Native peoples' continuing efforts to get state funding for Indian schools sometimes succeeded, but state aid was often scanty and intermittent. Like so many southern African American parents of this era, Virginia's Native people faced the conundrum that they would not receive a proportionate share of state funding (and, for non-reservation groups, their tax dollars) for their childrens' education. As a result, Virginia Indians sometimes responded like those African American communities and parents; they themselves organized schools and built school buildings themselves. The tidewater Indians' connections with the Baptist

organization in Virginia were often fruitful, in terms of material support and advocacy for these schools. As we have seen, sometimes the same building might house the school and the church (or a Sunday school), as happened at Samaria, Mattaponi, Indian View, and Tsena Commocko churches.

If their own efforts lagged, particularly for smaller groups like the Rappahannock people, some Indian parents saw “only two choices for their children, if they could not teach them themselves: illiteracy or ‘colored’ schools.”⁵⁶ When and if Indian parents could not or would not send their children to neighboring schools for blacks or whites, children might either not attend school, or their parents might seek schooling far from their homes and families. State support was more forthcoming after Virginia’s assistant attorney general, in 1917, “gave an opinion that the Pamunkey and Mattaponi were wards of the State,” which had the effect of generating some funding for elementary schooling for the reservation children, at least in 1917-1918.⁵⁷

The tenuous nature of outside and state support for Indian schools even on the reservations, as well as their importance in binding their communities together, both seem clear. The Pamunkey reportedly had a school on their reservation soon after the Civil War, just as they formed a church in this turbulent time. In 1890 the Smithsonian ethnographer Albert Gatschet reported that “In every house there are children and a school is established for them in the reservation.”⁵⁸ The passive construction here, “is established” may indicate some level of non-Indian support for the school or Gatschet’s

⁵⁶ Rountree, *Pocahontas’s People*, 355, note 113.

⁵⁷ “Information Sheet” for participants in a 21 May 1954 “Exhibit Day” at Mattaponi Reservation, Virginia Department of Education Indian School Files, 1936-1967. Accession 29632, R.G. 27. Series 1, Box 1, folder 11. State Government Records Collection, Library of Virginia, Richmond, Virginia 23219.

⁵⁸ Albert S. Gatschet, “Virginia Letter. The Pamunkey Indians and Their Little Reservation,” *Washington Chronicle*, 14 December 1890, clipping in National Anthropological Archives, ms. 55, Washington, D.C.

lack of respect for Pamunkey initiative. In any case, “it is uncertain whether the state supplied a teacher for the children at that time.”⁵⁹ The Mattaponi seemingly had access to the Pamunkey school, but after 1917 they sought and got a school of their own.⁶⁰ Church history says that after the Mattaponi formally organized their own Baptist church in 1932, its white pastor

led them in an effort to get a modern and adequate school building on the Reservation, which was accomplished. It is a credit to any small community. During these years the school and church had been using a small building, altogether inadequate.⁶¹

Both the Tsena Commocko and Samaria schools, which were Chickahominy-based, were similarly linked to the groups’ Baptist churches, and were built by Chickahominy people. For the Chickahominy, the idea of a separate school gained traction in the period when they were also working for establishment of a Chickahominy tribal organization and separate Baptist congregation.⁶² In 1922, pressure by the Chickahominy, at least partly supported by their solicitation of testimony by white neighbors (like the notarized statement of Rev. Throckmorton cited above) to their reputation as “real” Indians, persuaded Charles City County and the state government to help pay teachers’ salaries, but this support was apparently spotty over the following decades.⁶³

According to Baptist reports, when the Sharon school was founded to serve the Upper Mattaponi people in 1919, “the King William County School Board erected a

⁵⁹ Rountree, *Pocahontas’s People*, 201.

⁶⁰ Rountree, *Pocahontas’s People*, 215.

⁶¹ J. B. Hill, “Dedication of Mattaponi Indian Baptist Church,” *Religious Herald*, 6 June 1935, 8.

⁶² Rountree, *Pocahontas’s People*, 202.

⁶³ Rountree, *Pocahontas’s People*, 217-218.

small one-room building, unfurnished. The parents had to purchase desks and other equipment.”⁶⁴ A 2007 National Register of Historic Places registration form for the Sharon school says, though, that this first school building was “built, furnished and staffed by tribal members at their own expense.” Upper Mattaponi tribal history indicates there was an earlier, short-lived school in the late nineteenth century. It also seems that the community effort to found this school involved some level of assistance from the two reservation groups. This demonstrates again the importance of these institutions for Native people, and their potential for linking separate tribal groups. While Sharon school was first run by the Upper Mattaponi, in 1925 the King William County Board of Education took on responsibility for its management.⁶⁵ Despite their status as major community institutions, then, the schools still needed some outside support.

A surviving state audit book summing up certain state-related school expenditures in the years 1922-1928 shows sums in the hundreds of dollars distributed to a few local treasurers for Indian school purposes, generally once or twice a year, between 1923 and 1927. Additional and typically smaller sums, apparently for fund categories for which local treasurers were not technically accountable, appear as monthly expenditures. This account book has Indian-school related entries only for Charles City County, New Kent County, and Halifax County. It has no Indian school entries for King William County, where the reservation schools were located, or the Sharon school, which could mean simply that the types of funds being audited in this particular account book were

⁶⁴ “Indian Churches and Schools,” *Religious Herald*. 9 March 1950, 13.

⁶⁵ Julie H. Ernstein, Buck H. Woodard, Danielle Moretti-Langholtz, and Angela L. David, National Register of Historic Places Registration form, “Sharon Indian School” prepared by authors at the American Indian Resource Center, Department of Anthropology, College of William and Mary, 2006, accepted for National Register listing 2007, section 7, page 2, section 8, pages 6-9, page 22, note 22.

specifically limited and so this auditing process does not include other forms of State or county aid. Even so, this audit book can be read as further evidence that State and county funding for Indian schools was inconsistent, scattered, and marginal in this period.⁶⁶ The general impression from these audit records seems consistent with other commentary about Virginia's underfunding of Indian education even in the face of objections by Native parents to sending their children to "black" schools, and episodes in which they were denied access to "white" schools.

As standards for public schooling became more systematized and expectations of attendance at secondary schools became more prevalent even in rural areas, the contrast between educational opportunities for whites and those for Indians became ever more obvious. For years, Indian schools in Virginia offered little (or no) class work at the secondary level.⁶⁷

As early as 1900, when the Chickahominy formally organized, at least one of their white allies foresaw this need, and apparently encouraged them to get access to the normal school at Hampton Institute.⁶⁸ That famous historically black school, for decades, also famously admitted Indians from groups across the country, but it is not clear that any Virginia Powhatan Indians ever attended Hampton Institute. Given their struggle to carve out a niche in Virginia's segregated systems of the Jim Crow era, and to separate themselves in institutional settings and in the public eye from African Americans, it

⁶⁶ Virginia, Office of the Second Auditor; Second Auditor in account with city and county treasurers, 1916-1928. Second Auditor Inventory, entry no. 9. Record Group 50, SAI 9, State Government records collection, the Library of Virginia, Richmond, Virginia 23219. (The Halifax County entries undoubtedly relate to the "mixed-race" group in that county who also attracted Walter Plecker's attention. This effort, near the North Carolina border, was linked to North Carolina's programs to provide Indian schools, which seem to have been far more extensive than any of Virginia's efforts, particularly among the Lumbee.)

⁶⁷ "Indian Churches and Schools," *Religious Herald*. 9 March 1950, 13.

⁶⁸ Rountree, *Pocahontas's People*, 213.

seems unlikely that many Virginians seeking to affirm an Indian identity would have sought to complicate that quest by sending their children to Hampton Institute (now Hampton University), even with its program for Indians and despite its proximity. This seems to have been the case even as Hampton was attended by Eastern Cherokee students, and even when the school's recruitment pattern increasingly embraced eastern Indians. Donal Lindsey has reported that the Institute "was generally regarded as offering opportunities that helped an Indian with black ancestry find a place in American society."⁶⁹ To the extent that was a common perception, it may have been an additional disincentive among any organized Virginia Indian groups who might have considered sending children to Hampton in post-bellum and early twentieth-century Virginia. Instead, they sometimes sought to send older children for secondary and post-secondary work to specifically Indian schools such as Haskell in Kansas, Bacone in Oklahoma and the reservation school in Cherokee, North Carolina. Attending these places, though far from home and family, could bolster students' claims to Indian rather than "mixed" identity.

Local schools established for Virginian Indians were segregated institutions that could be the sites for specific incidents, as well as the unremarked daily practice, of Indian acquiescence and participation in segregation. A newspaper story in 1894 noted as an example of Pamunkey "race pride" their "recent indignant refusal to accept a colored teacher, who was sent to them to conduct the free school which the state of Virginia provides for them. They are very anxious to keep their blood free from further mingling

⁶⁹ Donal F. Lindsey, *Indians at Hampton Institute, 1877-1923* (Urbana and Chicago: University of Illinois Press, 1995), 203, 208.

with that of other races....” To help make the case for Indian “blood,” the article also mentioned that “the laws of the tribe now strictly forbid marriage with persons of African descent” and said the Pamunkey were seeking “immigration from the Cherokees of North Carolina.”⁷⁰ (This seems to forecast the later interest of Virginia Indians in the federal Indian school at Cherokee, North Carolina.) The tidewater Indian schools could be a direct focus for white segregationist disdain; one long-time teacher at the Sharon school reported that “The other [county] teachers were very cool to me.”⁷¹

Besides separate institutions, Virginia Native people in the late nineteenth century used local performances and sought, sometimes successfully, to present themselves as Indians at national and international expositions. In so doing, they tapped into pan-Indian symbols and images, particularly through costuming, while at the same time connecting themselves to a specifically Virginian past that involved images of John Smith, Pocahontas, and Powhatan.

This costuming, and other examples of self-conscious renewal of “aboriginal” cultural markers after the Civil War are especially striking, because, as noted earlier, by 1830, Powhatan people in daily life retained few of the obvious material signals that outsiders instantly and stereotypically perceived as “Indian.”⁷² The “anglicization” of aspects of Pamunkey material culture apparently accelerated after the early eighteenth century, in ways that show they selectively picked and chose from among the European

⁷⁰ “Powhatan’s Men Yet Live,” Washington *Evening Star*, 25 April 1894, in ms. 2197, National Anthropological Archives, Washington, D.C.

⁷¹ Julie H. Ernstein, Buck H. Woodard, Danielle Moretti-Langholtz, and Angela L. David, National Register of Historic Places Registration form, “Sharon Indian School” section 8, page 11, quoting an oral history interview of 1987.

⁷² Helen Rountree, *Pocahontas’s People*, 187.

ways and goods available to them. In the late seventeenth and early eighteenth centuries, many Powhatan individuals apparently wore clothing in “traditional” shapes and forms, but they might make those garments out of English cloth, or adopt clothing cut in European style.⁷³ By the middle of the eighteenth century, one white visitor to the Pamunkey reservation noted that they lived in non-European style housing, but wore English clothes.⁷⁴ Still, decades later, the anthropologist James Mooney recorded a Pamunkey tradition of at least some degree of visible difference in personal grooming and appearance; Mooney’s informants cited personal memories of older men wearing their hair long before the Civil War, and this practice may be seen in later photographs of tidewater Native people.⁷⁵ Such a display of “straight” hair could serve to differentiate Indians from blacks in white eyes, and also to suggest a kind of iconic pan-Indian appearance.

While the phrase “pan-Indian” can describe military and political movements joining Native people across tribal lines, obviously it also embraces other kinds of historical and present-day cooperation and cultural exchange. The term “pan-Indian” evokes present-day inter-tribal gatherings where dancing, drumming, and spectacular costuming are signs of a shared sense of Indianness that crosses boundaries of Native American language and social and cultural groupings.

There have been, of course, many ways in which Native Americans have joined together for common purposes bridging cultural and language differences. In the

⁷³*Ibid.*, 147.

⁷⁴Rountree, *Pocahontas’s People*, 175.

⁷⁵James Mooney, Pamunkey Notes, post 1899, ms. 2218, National Anthropological Archives, Washington, D.C.

Progressive-Era reform context, some pan-Indian activity was overtly assimilationist and self-consciously political. Other pan-Indian movements were fraternal or religious. Hazel Hertzberg noted that while there had been inter-tribal groupings to address whites' encroachment, not until the Progressive Era "did a number of organized movements arise, national in scope... and stressing Indian accommodation to the dominant society."⁷⁶ This was part of the context, then, for the adoption of pan-Indian regalia by tidewater Natives.

As early as the 1880s, Virginia's reservation groups were presenting public performances that included references to a past that linked them not only to a pan-Indian narrative of struggle and cultural survival, but also to a specifically Virginian identity and past. Christian Feest said that these Powhatan dramatic presentations went on for more than thirty years, and that the stage costumes could be worn at other ceremonial events, including the annual presentation of a "tribute" of game to Virginia's governor.⁷⁷ These performances evoked seventeenth-century history, when Powhatan peoples were beginning their long journey of contact, conflict, and accommodation with European Americans and African Americans. By the 1880s, the Powhatan descendants re-enacted, for example, Pocahontas' "rescue" of John Smith. In harking back to that colonial era, they were citing a moment in the past when English colonists had had to recognize Native political and economic power. By the late nineteenth century, when the numbers of Virginia's Native Americans were small, and their racialized identity was often questioned by whites, such dramas also connected to romantic and nationalistic myth-making by whites. As in the early nineteenth century, Pocahontas could still be useful to

⁷⁶Hertzberg, *The Search for an American Indian Identity*, viii.

⁷⁷Feest, *Powhatan Tribes*, 34, 89-90.

white Americans, and especially southern ones, as part of a story of national origins and sectional pride. She was still a type of the “good” Indian-- the Indian princess-- who, in helping to ensure the survival (and progress) of whites, loses her life or her status within her tribe. Against a backdrop of racialized segregation, late in the nineteenth century, Powhatan people themselves would make public uses of their connections to Pocahontas, as a statement of their Indianness and of their claim to a specifically Indian heritage that whites would easily recognize, because whites also made use of Pocahontas as a symbol of nationhood.

A flyer of 1898 advertises a dramatic offering that included not only a reenactment of the capture and “rescue” of John Smith, but also a war dance, snake dance, and green corn dance. It featured, too an appearance by a non-Powhatan figure of great pan-Indian power-- Tecumseh.⁷⁸ The flyer was clearly intended as a tool to advertise multiple events on multiple days in varied locations; it has blank lines for filling in places and dates of performances. It also has a line for separate admission fees for adults and children. The business-like approach this implies is reinforced by the look of the flyer. Far from seeming hand-made, it follows conventions of the period, with varied typefaces and a crisp, informative air.

The power of these dramatic representations could manifest itself in other areas of life, too. The 1898 flyer noted that Howard Lee Allmond (a girl probably about eleven years old at the time) would perform as Pocahontas, and E. R. Allmond, the assistant manager of the troupe, would play as “Big Diver.” In the 1900 census for King William

⁷⁸ Broadside “Notice” of performance of “Powhatan’s Indian Braves,” 1898, file 4969, National Anthropological Archives, Washington, D.C.

County (a census in which two-part special sheets with extra questions about the Indian population appear), E. R. Allmond appeared first by that name, and then as “Big Diver” in the second half of the schedule, in a column labeled “Other Name, if Any.” His daughter Howard Lee was enumerated first as “Howard L.” and also as “Pocahuntas.”

The invocation of pan-Indian iconography in these dances and dramas is reinforced by photographs of the costumes the actors wore. Christian Feest described them as “heavily fringed and partly beaded regalia, which grew ever more elaborate with each passing year.”⁷⁹ An 1881 photograph of the performers in costume, reproduced in Feest’s book, shows many of them in multi-feathered headdresses, with tunics and pants that look as if they were inspired not only by Plains Indian clothing but also by images of “pioneer” buckskins. This probably relates to the popularity of Wild West shows by this time. Feathered headdresses of some type were not exclusively a Plains tradition; the map of Virginia in John Smith’s 1624 *General Historie of Virginia* shows a figure in a feathered crown. Nonetheless, the feathers and other details of these costumes have a Plains and Wild West show flavor. The costumes seem to relate to conventionalized representations of “Indian” dress rather than to styles specific to any individual tribe. The costume designs may also reflect the influence of popular images of what white buckskin-clad hunters and soldiers on the “frontier” of an earlier era might have worn, perhaps relating to generic costuming of festivals of the period as well as Wild West show regalia.

The use of feathered headgear, drums, and dancing that are used as pan-Indian cultural markers has its critics, but it was a useful strategy for Indians of the Jim Crow

⁷⁹Feest, *Powhatan Tribes*, 80.

South. Feest has said of the Pamunkey performances that they “began to play to the often naive and simplistic expectations of their white neighbors about ‘savage’ life and behavior.”⁸⁰ George Pierre Castile has acknowledged that the incorporation and fusion of elements from the larger, non-Indian society (as well as from other Native groups and especially plains traditions) has generally and “necessarily” been a feature of pan-Indian movements. Unlike Feest, Castile argued that to label such performance practices naive is to accuse the Native participants of naiveté.⁸¹ It is important not to underestimate the importance and complexity of cultural systems and symbols that require years of training, community participation, and life experience to be fully understood and passed along over generations. Still, the case of tidewater Native peoples’ use of pan-Indian regalia shows how important the invention, adaptation, and re-invention of symbols of cultural identity can be, even if they relate to widely held stereotypes of a larger society. The popular visual appeal of Plains-inspired costuming is undeniable, and it continues much in evidence in aspects of inter-tribal powwows and fairs that are an important part of identity-making processes for many Native individuals and groups across the country.

The power and ubiquity of the imagery crystallized and magnified in the Wild West show should not be underestimated. Nineteenth-century Wild West shows and

⁸⁰*Ibid.*, 80.

⁸¹George Pierre Castile, “On the Tarascanness of the Tarascans and the Indianness of the Indians,” in George Pierre Castile and Gilbert Kushner, eds., *Persistent Peoples: Cultural Enclaves in Perspective* (Tucson: University of Arizona Press, 1981), 178. This argument arises in the context of Castile’s broad discussion of how a group may survive as a recognizable cultural group if surrounded as an enclave by a larger society, even in the absence of obvious unifying factors such as “racial” unity, a shared homeland or language, or a relatively static distinctive complex of shared “culture.” Given that, he argues that most important for such groups is “a continuity of common identity” that is based upon a shared understanding about “the meaning of a set of symbols.” Those symbols develop out of historical experiences shared within the group, but they are not unchanging and are not necessarily historically “real” in the conventional sense. See George Pierre Castile, “Issues in the Analysis of Enduring Cultural Systems,” in George Pierre Castile and Gilbert Kushner, eds., *Persistent Peoples: Cultural Enclaves in Perspective* (Tucson: University of Arizona Press, 1981), xvii-xviii.

dime novels connect this particular pan-Indian tradition to a set of images often used by whites to exoticize, homogenize, and romanticize Native Americans' varied histories and traditions. When Otis Mason of the Smithsonian's National Museum attended the 1889 Paris Congress of Prehistoric Archaeology and Anthropology, he reported back that "the bill of fare" included Buffalo Bill's famous show.⁸²

Some Progressive Era reformers, Indian and white, were troubled by these images and their ubiquity. For example, some members of the Society of American Indians considered the Wild West show image of Native Americans to be counter to their conception of the potential progress to be made from working within the larger society, and the necessity of dealing with the engulfing white culture. When Arthur C. Parker was a leader within the Society of American Indians (S.A.I.), the association "eschewed anything which savored of the medicine show Indian, though Indian costume might be worn in certain circumstances, provided these were dignified and controlled." Parker had training in anthropology and a career in professional museum work, and his tolerance for the showier forms of pan-Indian costume was limited. On seeing a photograph of a Six Nations gathering in Brantford, Canada, he lamented "Indians to be recognized as such must 'play' Indian!"⁸³ Less assimilationist S.A.I. members argued for distinctively Indian contributions to society, and for the values of tribal traditional ways, even as they recognized the difficulties of maintaining cultural distinctiveness within a white-dominated society and economy. In the aftermath of World War I, S.A.I. members sometimes struggled with ideas and rhetoric about self-determination and separatism, and

⁸² Steven Conn, *History's Shadow: Native Americans and Historical Consciousness in the Nineteenth Century* (Chicago and London: The University of Chicago Press, 2004), 213.

⁸³ Hertzberg, *The Search for an American Indian Identity*, 57.

nativist backlash against immigration in those years had its effects on them, as it did on those who advocated and opposed Virginia's 1924 "racial integrity" law. By 1922, Parker withdrew from the S.A.I., apparently discouraged about the prospects for "assimilation" within white society, and he focused more on the rights of Native Americans as individuals for self determination.⁸⁴ When the S.A.I. met in Chicago in 1923, there was an "encampment" with ceremonials and dancing in "full regalia." One Chippewa observer "expressed his regrets that it is only when he exhibits Indian war dances and ancient ceremonies that the public evinces any interest in the Indian."⁸⁵ Thus, Tidewater Natives were not unusual in their use of pan-Indianisms. Their position in the Jim Crow South, though, perhaps made such symbols even more crucial as tools ready to hand and widely recognized by whites.

White society, obviously, could and did exert enormous pressure in many ways, potentially and actually coercive or persuasive, for accommodation and assimilation by Native groups. Along with this, there was of course also a strain of white thinking and cultural activity that romanticized Native American cultures, and this could have nationalistic or otherwise political ends as well as nostalgic, romantic social goals.⁸⁶ Relevant for the purposes of looking at the Powhatan performances are at least two facets of this cultural play. Powhatan people themselves began, to perform as "Indians," but white students at the nearby College of William and Mary were also known to costume

⁸⁴*Ibid.*, 194-197.

⁸⁵*Ibid.*, 198.

⁸⁶ Philip Deloria's *Playing Indian* analyzes the history of whites dressing and acting as "Indians," from the Boston Tea Party to the "counterculture" of the 1960s.

themselves as Indians.⁸⁷ Even more relevant here is the analysis of the early roots of ethnography in the United States, through the career of Lewis Henry Morgan. Frank Hamilton Cushing more famously adopted Pueblo dress on occasion, but Morgan also dressed up “Indian” early in his career, as Philip Deloria points out. Morgan, starting from some romantic literary and nationalistic concerns, was a central figure in a group that celebrated “Indianness” by meeting in “Indian” costume and taking “Indian” names, as they wrote poetry and prose they conceived as part of a genuinely American literature. Morgan’s fascinations eventually led him to look more closely at the histories of the Six Nations, and to work with “actual” Indians, such as Ely S. Parker, a Seneca (and the great-uncle of Arthur C. Parker). In so doing, Morgan became one of the founding figures in American ethnography; Parker also had a distinguished career in the white world. Deloria argues that costumed “play” as Indians by figures such as Morgan was part of a cultural process whereby “Indians” became, for white Americans who “played Indian” in the late nineteenth and early twentieth centuries, the sometimes touristic focus of a search for “authenticity” and of notions about “primitivism.”⁸⁸ Virginia Native people’s performances tapped into that strain of white’s romancization of the “primitive.”

This was the climate in which the Pamunkey held their performances. If whites could dress as “Indians,” and if the Wild West show could be presented to an eminent international audience of anthropologists in 1889 Paris, why should not “real” Powhatan people use pan-Indian, Plains-influenced dress to promote public acceptance of their Indianness? The cultural mix was such that the famous doctor Charles Eastman, a

⁸⁷Feest, *Powhatan Tribes*, 80.

⁸⁸Philip J. Deloria, *Playing Indian* (New Haven: Yale University Press, 1998), 76-85, 94.

Dakota man who was active early on in the S.A.I., advocated teaching white children about “Indian” ways as an antidote to modern life, in writings for the Boy Scouts. Even Arthur C. Parker could use and espouse “primitivist” ideas about the virtues of Indian cultures.⁸⁹

Still, the nature of the performances by Powhatan people in the late nineteenth century and into the twentieth century includes more than merely display of symbols that mass audiences would instantly recognize as generically “primitive” and “Indian.” Their performances of the 1880s and later (including their appearance at the Jamestown Tercentennial exposition and the reservation leaders’ annual visits to Richmond to place their “tribute” before the governor of Virginia) also represented Virginia Indians as people firmly rooted in Virginia lands and in Virginia’s colonial past. In such staged events, they laid claim to status not only as significant actors through centuries of Virginia history, but also as key figures in a historical narrative at the foundations of the story of the colonial roots of the American republic. They were perhaps, taking advantage of whites’ “primitivism” as described by Deloria, but they were also evoking specific historical identities on behalf of their communities.

Certainly, the annual “tribute” to the governor engendered a certain kind of sentimentality among some nineteenth-century whites as a relic practice of a people who could almost be seen as relics themselves, but it was a kind of sentimentality that seems to have helped bolster white acceptance of Virginia Indian identities. In 1890, for example, the *Daily Times* of Richmond ran a two-part article on Pamunkey history that concluded with a section titled “Still a Remnant.” This section says the Pamunkey were

⁸⁹*Ibid.*, 123-4.

not “of pure Indian blood, their progenitors for several generations having intermarried with whites, mulattoes, and blacks.” Still, based upon their appearance, as “the distinctive physiognomy of their race strongly asserts itself...,” the piece affirms them “to be the real descendants of the tawny warriors of 1607” despite their current status as “peaceful peasants and fishermen.” As evidence of their current docility but also their peculiar nationhood, the article notes the history of colonial requirement for annual tribute:

The habit thus acquired has ever preserved in their minds a sentiment of fealty to the State. Although long ago delivered from this exaction, to this day it is the pleasing custom of their Chief and his head men to make a complimentary visit to each newly inaugurated Governor, and testify their respect for his office and person by a present of fish and game from the waters and forests of their ancient habitat. Thus have lived in security for more than two centuries, among the descendants of their ancient enemies a remnant of the race to whom the land we love originally belonged. During all this time their little State [the reservation lands] has remained as distinct an autonomy among greater powers as Andorra among the Pyrenees, or San Marino by the sea. They now represent probably the only organized community of aboriginal Americans left on the Atlantic slope; and with their disappearance will have passed away forever the last of their race to be found east of the Mississippi.⁹⁰

This article shows that white narrators of that era fit even the long-lived Virginia reservation communities into whites’ long-running narrative, so prevalent nationally in 1890, about Native peoples as a “vanishing race.” The *Times* reassured its readers, in this year that ended with the Wounded Knee massacre, that the Indians of the Virginian reservations were harmless, tamed, peaceful “remnants” of a once powerful group.

This piece can also be read as evidence that Pamunkey strategies for public recognition were effective in some ways. The writer of the *Times* pieces positioned

⁹⁰“Tribe of Pamunkey. Conclusion of Their Most Interesting History,” Richmond, Virginia, *Daily Times*, 2 November 1890, copy in ms. 2197, National Anthropological Archives, Washington, D.C.

Pamunkey people not just as vanishing remnants, but also as heirs to a grand tradition within colonial and national historical narratives that were dear to southern whites. The writer affirmed the Pamunkey status as a separate people, racially speaking, red rather than black or white, despite a history of marriages across racial lines. Thus, the “photo op” of the annual tribute of game to the governor helped create space for the reservation people that was outside Jim Crow’s black-white color line, and it also helped to position them as historical actors and present-day citizens.

The ceremony of bringing game as a tribute to Virginia’s governor was perhaps viewed somewhat differently than other forms of pageantry, or perhaps it shifted over decades to become an opportunity to appear in public in “Indian regalia.” An early photograph of Chickahominy people making a gesture of voluntary tribute around 1919-- presumably to assert a status similar to that of the reservation groups-- shows no one in pan-Indian garb.⁹¹ Similarly, one early photograph of the Pamunkey tribute-givers dated 1921 captures no Indian “regalia.” Another photograph of perhaps the same occasion (or another one close to 1921) reveals that the chief’s hat has what appears to be a beaded band; his clothing otherwise seems conventionally Anglo and relatively formal.⁹² Other, undated photographs which seem more recent and one dated 1940, among the collections at the National Anthropological Archives, show that on other occasions of the governor’s “tribute” in Richmond, such pan-Indian garb was prominently displayed, including at

⁹¹ Feest, *The Powhatan Tribes*, 90-92.

⁹²Photographs 74-4903 and 74-4896: “Smithsonian, Pamunkey. Cook Family Collection,” Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National Anthropological Archives, Washington, D.C.

least one full Plains-style feathered headdress along with fringe and beads.⁹³ When the Mattaponi make their tribute to the governor in more recent times, Helen Rountree (perhaps somewhat critically) says “their representatives wear at least one item of ‘Indian’ regalia for the occasion, in accordance with the tribe’s bylaws.”⁹⁴

Twelve of the fifty-seven photographs in a collection of Cook-Bradby family photographs at the National Anthropological Archives show this tribute tradition. In these images, some of the Pamunkey representatives wore conventional clothing, which meant business suits and neckties for the men. If these photographs are representative of the whole group of attending Pamunkey people, the women may have been more likely to display pan-Indian elements in their dress on these occasions. Five of the photographs seem to date from before 1942, which was the year when Tecumseh Deerfoot Cook became the Pamunkey chief. (Tecumseh and Deerfoot are names of two separate characters in the 1898 performance flyer mentioned above.) Three of these photographs show at least one of the men with full Plains-inspired feathered headdresses and elaborately decorated and fringed tunics and pants, including round fringed collars like those in an 1881 photograph of the pageant players. The remaining photographs in this group that relate to the annual governor’s tribute seem to have been taken between 1942 and 1974. Except for one of Pocahontas Cook, they show Chief Tecumseh Cook consistently clothed in full Plains-style feathered headdress and fringed garments with elaborate decoration. In what may be the latest photograph of this sequence, he seems to

⁹³ “Photographs: Smithsonian, Pamunkey. Cook Family Collection,” Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National Anthropological Archives, Washington, D.C.

⁹⁴Rountree, *Pocahontas’s People*, 260.

be wearing a somewhat less elaborately ornamented set of fringed clothing, and has on his feet a pair of moccasins that may be mass-produced. In one photograph, he holds a drum. Women in these later photographs wear headbands, fringed garments, and beads, and sometimes braids and a single feather.⁹⁵ It seems that usually, among the men present, a chief and perhaps one other man are clearly outfitted most elaborately. Other men may wear business suits.

In these photographs, such costume-like clothing is clearly intended for an audience that includes non-Indians, and it is quite eye-catching. There is no doubt that its purpose is to signal Indianness broadly. The Native participants in conventional business dress, on the other hand, are perhaps deliberately and simultaneously signifying that the communities paying tribute also claim their place as citizens of a modern state on par with other citizens. How and where a specifically Pamunkey or Powhatan identity might fit into these uses of pan-Indian and Anglo dress is a question the photographs alone do not answer.

Some consider such tidewater Native's use of pan-Indian dress and display as a concession to whites' stereotypes of Native people and cultures⁹⁶ It seems likely that this display for Virginia Indians, though, was not only a way to mark themselves as "real" Indians to their neighbors, audiences, and state officials, but also a tool for linking themselves and their history to some large nationalistic conceptions of Indian identity and to the broad continental sweep of the history of dispossession of Native peoples. The

⁹⁵Photographs 74-4903, 74-4896, 74-4894, 74-4908, 74-4911, 74-4857, 74-4910, 74-4892, 74-4861, 74-4863, 74-4891, 74-4906: "Smithsonian, Pamunkey. Cook Family Collection," Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National Anthropological Archives, Washington, D.C.

⁹⁶Rountree, *Pocahontas's People*, 225.

wearing of pan-Indian garb was more than simply a way to mark oneself as an Indian for an uninformed general public. It connected to a major American narrative that Powhatan people could use to link themselves to Indianness in powerful, if generic, ways that would resonate within their own community and personal identity-building processes, as well as for non-Indian Americans.

Some of the older images among a group of Cook-Bradby family photographs—besides those showing a public ceremony of “tribute” to Virginia’s governor-- are suggestive of more intimate, personal uses of pan-Indian clothing. The Cook and Bradby families are among the leaders in their community, and so more often than some other families they have publicly represented reservation people. At the same time, especially in such a small community, it is possible that their use of pan-Indian clothing may reflect some level of community consensus about ways of denoting Pamunkey as well as Indian identity. The Cook-Bradby photographs are mostly undated. Other than the “tribute” photographs, they are mainly portraits of individuals or very small groups.

Some of these photographs seem to be studio portraits, and among these are images shot against the kind of backdrop sometimes used by commercial photographers. The subjects in these more formal pictures may wear pan-Indian or Anglo-style clothing. One of these more formal photographs shows an unidentified woman in a dress and hat in the approved European-American style of about the 1890s. Luzelia Bradby Dennis, on the other hand, appears in a photograph wearing a costume that looks very much like her garb for the group picture of the Pamunkeys at the 1907 Jamestown Exposition. Capitola Cook, in long braids, headband, fringe, and beads, poses against a studio backdrop looking very much the image of a white person’s romanticized dream of an “Indian

princess.” Yet this picture may not have been intended for a white audience. (In a family snapshot of her, apparently taken when she was somewhat older, she is in a conventional polka-dotted dress with her hair in a matronly style.) John Bradby sports a neat cravat, moustache, short hair, and vested suit in a portrait of him as a young man. He also appears, somewhat older, in the 1921 “tribute” photograph, still looking dapper in a suit, hat, tie, and dark overcoat; he carries on his shoulder one end of the pole carrying dead game for the governor. There are portraits of Chief Tecumseh Cook’s grandparents, looking very conventional and projecting an air of self-conscious propriety. One wonders whether they would have approved of their grandson’s later engagement with pan-Indian theatricality. His mother, Theodora Dennis Cook, appears in several photographs, looking dignified and matriarchal in an elaborately fringed and decorated costume and long hair caught under a feathered headband. Thus, for formal individual and family portraits, people in these families might choose an image of overt and generic Indianness by at least 1907. Perhaps the pictures capture the sitters coming directly from a public occasion, when they may have worn pan-Indian dress for the benefit of non-Pamunkeys. Nonetheless, when the sitter is not a man who served as chief, it seems unlikely that all such portraits-- those where the subject is wearing pan-Indian articles of clothing-- were intended solely for viewers outside the family. They may capture a public face, but they seem also to document a personal image treasured within the family as a focus of family memory.⁹⁷

⁹⁷Photographs 74-4858, 74-4864, 74-4867, 74-4868, 74-4869, 74-4870, 74-4872, 74-4873, 74-4876, 74-4877, 74-4878, 74-4879, 74-4882; 74-4883; 74-4885, 74-4888, 74-4897, 74-4900: “Smithsonian, Pamunkey. Cook Family Collection,” Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National

Less formal group photographs in this collection also document uses of pan-Indian as well as conventional clothing and grooming. At least some of these group pictures reflect a public face presented by the Pamunkey to outsiders. These snapshots of small groups often show that all the subjects in the photo have made the same choice about whether to wear Indian or Anglo-style garments. There are two exceptions, though, in which some people are conventionally dressed and others are in full pan-Indian garb. Since the exact circumstances and settings for these two informal photographs are not obvious, it is not unreasonable to think that they may document family gatherings. Other photographs may show family members gathered in the context of more public and formal occasions, when pan-Indian clothing might have been worn for purposes of impressing non-Indian viewers. At least four of these group photographs have a posed and stagey quality that seems to indicate that they were shot in the context of public festivities or formal occasions for the benefit of non-Pamunkeys. One shows three women, probably at the reservation trading post or museum, working on pottery with designs that seem intended to evoke Native American cultures generically. The women are wearing headbands and fringed, beaded garments. Two other photographs show two men working on a fishing net while wearing full feathered Plains-style headdresses.⁹⁸

Another cluster of these photographs are informal snapshots of individuals. Like the other photographs, they document both pan-Indian as well as conventional clothing choices made by Pamunkey individuals. As with the group pictures, their context is not

Anthropological Archives, Washington, D.C.

⁹⁸*Ibid.*, Photographs 74-4860, 74-4862, 74-4871, 74-4884, 74-4893, 74-4856, 74-4887, 74-4895.

always clear. Some may have been made on public occasions, and others in more intimate family settings. Most of these photographs seem to reflect a decision by the subject to strive for a look that was either all conventional Anglo-style dress or all pan-Indian in style. It does seem likely that the images that show a full pan-Indian costume relate to a ceremonial or public gathering. In one photograph, though, the subject is wearing conventional clothing but his headgear clearly tells an Indian story. Chief Tecumseh Cook, standing in shallow water in boots and a conventional pair of pants and casual jacket, wears a feathered crown headdress. One informal photograph is another view of Tecumseh Cook's mother, Theodora Dennis Cook, still looking very much the matriarch even without her headband. In this portrait, she wears conventional clothing with her hair pulled back as any Anglo or African American woman of her age at that time might have worn it. She has also chosen multiple strands of round beads, which look very ordinary except that she is wearing many of them, in different lengths and sizes. Perhaps her tastes in this jewelry were shaped by a pan-Indian aesthetic.⁹⁹

Pan-Indian clothing, as adopted by the Pamunkey and Mattaponi beginning in the late nineteenth century, was an integral part of their strategies for proclaiming, and reminding their neighbors of, their identity as Indians. Such garments and grooming were important parts of public presentations, from historical pageants to the trip to Richmond to give the governor his "tribute." Pan-Indian garb was not limited to chiefs. It seems likely that pan-Indian costume was largely reserved for formal occasions and portraits, but it is possible that it was and is used for occasions when non-Indians were

⁹⁹*Ibid.*, Photographs 74-4854, 74-4855, 74-4859, 74-4865, 74-4866, 74-4874, 74-4875, 74-4880, 74-4881, 74-4886, 74-4889, 74-4890, 74-4899, 74-4902, 74-4904, 74-4905.

not the primary audience. This seems to be corroborated by the fact that in the cemetery on the Mattaponi reservation, which is public, though not in the same sense as the Mattaponi museum, several of the headstones have plaques reproducing photographic portraits, and a number of these pictures include pan-Indian regalia. It may be that, as time went on, such garments and the image they presented grew in importance as part of the communities' identities as Native Americans.

The uses of such pan-Indian clothing elements in the 1890s, in the face of the powerfully racialized legal, social, economic and political systems of Virginia, suggests that it was part of an answer to specific official threats of cultural and social suppression and even destruction of Native communities. Its continued use since the 1970s, in the context of pan-Indian associations and political developments, makes it appear still and again a useful tool for Powhatan people seeking both signs indicative of cultural identity and connections to a larger world of Native American histories and Native American organizations. Among the Powhatan groups, it is possible to see pan-Indian material culture as a means by which Native Americans in tidewater Virginia could maintain, invent, claim and re-claim cultural identities as Native American people, while at the same time establishing links to a nationwide range of other Native American peoples of varied cultures.

These pan-Indian signs did serve to engage the interest of whites, not just the curious public but also white scholars. The Bureau of American Ethnology took notice of, and began to gather information about, Indians in tidewater Virginia around 1889. It seems possible that the Bureau's efforts were sparked by the Pamunkey public

performances of the “rescue” of John Smith by Pocahontas.¹⁰⁰ The existence of the 1898 flyer, mentioned above, in the Bureau’s files indicates at least some level of interest in these performances, and eventually, Bureau-sponsored work was done by James Mooney, Albert S. Gatschet, and John Garland Pollard.

Mooney’s work, in turn, seems to have encouraged the Pamunkey to seek other forms of even broader public and official recognition of their status as an Indian group. With or without his encouragement, they developed interest in national and international expositions.¹⁰¹ Early on, a notebook kept by Albert Gatschet after 1893 remarks that a local carpenter and “newspaper correspondent” had collected Pamunkey “stone relics” for “New Orleans exhibition,” presumably the New Orleans exposition of 1884.¹⁰²

Many scholars have written about the presence and presentation of “native people” at major expositions in Europe as well as in the United States. Despite the colonialized, primitivist, paternalist, and racialized cast of this kind of “ethnological” display at, for example, the Chicago fair of 1893, Virginia Indians saw and seized opportunities at such events to pursue their own ends. William Terrill Bradby, one of Mooney’s informants, traveled to the World’s Columbian Exposition in 1893, seeking to represent his tribe there. Along the way he stopped in Washington to donate some Pamunkey materials at the United States National Museum, consisting of “specimens of Pamunkey pottery” and other objects such as a tomahawk, ax, and spear heads. Besides depositing these items, which seem calculated to emphasize Pamunkey connections to pre-contact traditions, Bradby also visited the office of the commissioner of Indian

¹⁰⁰Rountree, *Pocahontas’s People*, 202.

¹⁰¹ Mooney himself worked to present the fruits of his labor among the Kiowa to exposition audiences.

¹⁰² Gatschet’s handwritten notes, in ms. 2197, National Anthropological Archives, Washington, D.C.

affairs.¹⁰³ Mooney's notes about correspondence in Bradby's possession refer to a trail of endorsements and introductions that were, perhaps, not unusual in exposition protocols, but that show how careful Bradby was to get multiple layers of white endorsement of his Indianness on the way to Chicago. The clerk of King William County and the office of Virginia's governor attested in writing to his status as a "member of the Pamunkey Tribe," and testified that the tribe held a reservation sanctioned by the state of Virginia. On Bradby's behalf, Otis Mason of the U.S. National Museum wrote to the Commissioner of Indian Affairs vouching for Bradby's status as a Powhatan descendant and as someone who had been become well known and "serviceable" to Mason in Smithsonian efforts to look at the history of the "tribe." This in turn led to a letter from the Assistant Commissioner of Indian Affairs to Frederick Putnam of the Peabody Museum, co-organizer of ethnographic displays at the 1893 exposition, recommending Bradby as "one of the very few remaining" descendants of the historic Pamunkey group. Putnam responded by acknowledging Bradby's interest in Putnam's exhibitions and naming him an "honorary assistant" in the fair's Department of Ethnology.¹⁰⁴

Bradby thus sought several kinds of official white recognition, probably in the belief that a presence in the Smithsonian collections and at the Chicago exposition could significantly promote recognition of Powhatan identity among whites, but he had another mission as well. Newspaper accounts reported at the time that the Pamunkey representative to the 1893 fair also planned

¹⁰³ Rountree, *Pocahontas's People*, pp. 209-210, and Pamunkey notes [Pamunkey Reservation, Prince [sic] William County, Va.], post 1899, of James Mooney, from informant Terrill Bradby, ms. 2218, National Anthropological Archives, Washington, D.C.

¹⁰⁴ Pamunkey notes [Pamunkey Reservation, Prince [sic] William County, Va.], post 1899, of James Mooney, from Informant Terrill Bradby, ms. 2218, National Anthropological Archives, Washington, D.C.

to invite other civilized Indians to come and settle on their reservation and amalgamate with their tribe. The Pamunkey's have rich lands and are in prosperous circumstances, but they have intermarried [sic] so long that the tribe is in danger of extinction. The delegates took the precaution of obtaining from the governor of Virginia a certificate to the effect that they were genuine Indians and have a secure tenure of their lands.¹⁰⁵

Note that the theme of potential "extinction" is present here, as it was in other newspaper coverage of the era.

The Pamunkey were persistent in their quest for participation at expositions. In 1898, William Terrill Bradby's group used their connection to Otis Mason at the Smithsonian to request that the Indian Office sanction a Pamunkey delegate to the Omaha exposition, only to find that that exposition had already closed.¹⁰⁶ The Pamunkey also tried for representation at the turn-of-the-century Paris exposition. A Washington, D.C. newspaper reported in 1899 that their chief and others from their council had met with Virginia's governor "to tell of their grievances" and also to ask state support for sending a Pamunkey delegation to Paris, specifically "a creditable company to produce a play representing the saving of Captain John Smith's life by Pocahontas" and including some tribal officials who would be among the actors.¹⁰⁷ The governor ultimately replied that the state had no authorizing power in the matter.¹⁰⁸

As important as Smithsonian acceptance of Pamunkey material culture might be in some arenas, the public pageant remained a focus of Powhatan efforts. A Powhatan

¹⁰⁵ Untitled newspaper clipping from *Indian Journal* of Muskogee, Eufala, Indian Territory, 3 August 1893, in ms. 2197, National Anthropological Archives, Washington, D.C.

¹⁰⁶ Pamunkey notes [Pamunkey Reservation, Prince [sic] William County, Va.] post 1899 of James Mooney, from Informant Terrill Bradby, ms. 2218, National Anthropological Archives, Washington, D.C.

¹⁰⁷ "Pamunkeys Want a Sea Trip," *Times* of Washington, D.C., 6 July 1899, in ms. 2197, National Anthropological Archives, Washington, D.C.

¹⁰⁸ Pamunkey notes [Pamunkey Reservation, Prince [sic] William County, Va.], post 1899, of James Mooney, from Informant Terrill Bradby, ms. 2218, National Anthropological Archives, Washington, D.C.

group managed to get on the calendar of the 1907 Jamestown Tercentennial Exposition, held in Norfolk, Virginia. In a photograph identified as a group who attended that 1907 Exposition, the individuals posing wear costumes similar to those in other surviving photographs of Powhatan performing groups. Men and women in this picture wear ornamented and heavily-fringed Plains-inspired clothing, along with feathered headbands. This group of about fifteen people does look influenced by “stage” Indians. Still, since the Powhatan groups were and are relatively small communities, this photo also may signify that a sizeable slice of reservation residents maintained a keen interest in establishing a recognizable group Indian identity through this kind of dramatic costuming and presentation.¹⁰⁹ Taken with a frame building in the background, and with its subjects standing or seated on a plank floor, the photograph represents what seems to be a group of performers costumed for representation of Native characters for a play or pageant. Among them are two men not dressed in “Indian” costume. One man, in a suit with tie, is identified in a key to the photograph as “white man who organized Indian participation.” The other, who apparently was playing John Smith, wears a vaguely Cavalierish costume that includes a wide-brimmed hat, and is identified as Journey Miles, a man of the Native community.

The Powhatan participation in the 1907 expositions took place at a politically fraught time in national, federal policies toward Native people. Frederick Hoxie has used the history of national and international expositions such as the ones in Philadelphia in

¹⁰⁹Photograph 74-4898 noted as “Jamestown Exposition,” in “Smithsonian, Pamunkey. Cook Family Collection,” Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National Anthropological Archives, Washington, D.C.

1876, 1893 in Chicago and in 1904 St. Louis, to illustrate what he discerns as shifting methods of public representation of contemporary Native people that reflect changes in white policy-makers' vision of the possible future of Indian peoples. Hoxie argued that some white activists and so-called reformers of the 1880s were "optimistic" that the "assimilation" of American Indians would result in "progress" toward Indians' full incorporation into the American citizenry. These reformers thought Indians could be transformed, in effect, into people who were "civilized" and therefore capable of taking a place as "equals" of white citizens. Hoxie saw this largely supplanted by a second phase, influenced by the industrialization and immigration patterns of the 1880s and 1890s, in which this "optimism" and vision of culture as a one-size-fits-all march of progress was tempered by Native resistance and general white inability to arrive at "complete acceptance" of Native peoples. As a result, by 1920, Hoxie argued that the "optimism" of 1880s reformers had been superseded by a different vision among some white policy-makers: Native peoples were still to be "incorporated into the nation," but on a basis that "bore a greater resemblance to the position of the United States' other nonwhite peoples than it did to the 'full membership' envisioned by nineteenth century reformers." After 1900, particularly, Hoxie pointed out that United States Indians were engulfed in the same tide that brought ever-more stringent segregation of African Americans, exclusion of Japanese immigrants, and advocacy to reduce immigration from certain parts of Europe.¹¹⁰

¹¹⁰ Frederick E. Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln and London: University of Nebraska Press, 1984), x-xii, 28.

This is the backdrop for the interest of tidewater Natives in the 1893 Chicago exposition and the 1907 Jamestown Tercentennial exposition, and for the 1920s campaign against Virginia's Indians. We have seen how the advocates of Virginia's 1924 "racial integrity" law linked their campaign to national fears about immigration fanned by eugenicists. Like the arena world of federal Indian policy that Hoxie described, Virginia's organized Indians faced official efforts to consign them to second-class citizenship on racialized grounds. By 1915, Hoxie argued, the "romantic Indian" stereotypes of the early nineteenth century were gaining ground again, and "the public was growing accustomed to viewing Indians as members of one of the world's many 'backward races'"¹¹¹ The dramatic presentations of Virginia Indians can be seen as playing to and with these stereotypes, even as Powhatan people used such performances to gain advantage in their fight for public recognition as Indians.

As noted above, William Terrill Bradby used connections with Otis Mason of the Smithsonian to approach Frederick Putnam and the office of the Commissioner of Indian Affairs in preparation for his visit to the Chicago exposition. Fred Hoxie pointed out that in Chicago in 1893, unlike what happened at the 1876 exposition in Philadelphia, the efforts of ethnographer/scholars and the work of federal Indian policy-makers "were separate." Frederick Putnam of Harvard's Peabody Museum conceived and organized a display that emphasized not just antiquities but the continuing cultural distinctiveness of living North American Indians. The Commissioner of Indian Affairs, in contrast, presented a vision of the success of federal assimilationist programs for Indian "progress" designed to make Indians culturally indistinguishable from white citizens, with a

¹¹¹ *Ibid.*, 94.

schoolhouse's model classrooms as a primary focus.¹¹² By the time of the 1904 Louisiana Purchase Exposition, Hoxie has argued that, though there was still an Indian schoolhouse on the exposition grounds, "these divergent themes had been resolved. Interest in the Indians' 'primitive' character was paramount, and—more important—both the government and the public greeted the exotic displays with enthusiasm." At the St. Louis fair, "No longer portrayed as both a 'people in transition' and a breed of primitive exotics, Native Americans had become members of one of the world's many 'backward races.'" They were part of a grand display of "primitive peoples of the globe" that included also exoticized Ainu, Patagonian, and Philippine peoples.¹¹³

Just a few years after the Louisiana Purchase Exposition, the Jamestown Tercentennial Exposition had some similar features. The 1907 Exposition, like other national expositions, was intended to underscore the technological prowess and military might of the United States on a global and national stage. Attended by such white luminaries as Theodore Roosevelt and Mark Twain, the exposition was located on the Hampton Roads harbor in Norfolk in order to provide a stage for display of naval strength not just by the United States but also by other countries. It was billed as a fair whose architecture, dominated by Colonial Revival styles, was, if a bit more modest, perhaps more tasteful than that of some other recent expositions. This seems like a nod to mythologies of southern gentility, harking back to memories of a colonial past less contentious and painful than the era of Civil War and Reconstruction, as well as to the difficulties of fund-raising. Confederate references and organizations were also plentiful

¹¹² *Ibid.*, 87-89.

¹¹³ *Ibid.*, 90-92.

at this exposition. The Jamestown exposition certainly made more than a nod to the history of English colonization of Virginia as the story of national origin, and that history was central to the initial argument for the exposition's development and support by the State and federal government. Various publications from the fair featured images of John Smith and Pocahontas, and recounted romanticized visions of the first encounters of English colonials with Powhatan peoples in Virginia. Still, the romance of history took a back seat to other concerns; promoters noted what seem to have been their main interests this way: "Industrial and scientific progress will be demonstrated in various ways, but the distinctive feature of the Exposition will be the great military and naval drills, parades and manoeuvres."¹¹⁴

The special features touted in promotional literature also included United States government-sponsored displays that fit into the general theme of American "progress" and expansion as a march of "civilization:" "Special Alaska and Philippine exhibits," "Special Indian exhibits" and "Special Negro buildings and exhibits."¹¹⁵ As at the fairs in Philadelphia and St. Louis, the Smithsonian was involved in federal representations of Native cultures at the 1907 exposition. It appears that the federal work in this area was restrained, compared to the extravaganza of "primitives" presented at St. Louis. Still, in Norfolk the Smithsonian had its own building which included historical displays intended to represent a broad sweep of American history and technological progress, including a "life-sized lay figure group depicting Captain John Smith trading for corn with the

¹¹⁴Jamestown Exposition Company, *The Jamestown Exposition: Special Events, Military and Naval Features....* (Norfolk, Virginia: Department of Congresses and Special Events, Jamestown Exposition Company, 1907), 6.

¹¹⁵*Ibid.*, 43 ff.

Powhatan Indians.”¹¹⁶ The Smithsonian’s efforts, then, embraced the Smith story and early contact between English colonists and Eastern Indians, placing Virginia Indians within a major narrative of the historical past. The Smithsonian display did not overlook the prehistoric, primitivized, past; it also included “examples of aboriginal handiwork” from across the country, including eastern areas from Main to Texas and “Porto Rico and Santo Domingo” and an archeological display on “stone-implement makers of the District of Columbia.”¹¹⁷

In contrast, it appears that the Bureau of Indian Affairs (B.I.A.) exhibits, in line with Hoxie’s observations about other expositions, emphasized its schools as vehicles for ‘civilizing’ Native groups. Displays of the work of Indian students at federal Indian schools affirmed the Bureau’s success in teaching business courses and skills such as dressmaking, sewing, embroidery, blacksmithing, shoe-making, and carpentry. (The B.I.A. did also include some more “traditional” images of Native culture, such as “specimens of native arts and industries.”) Maps acknowledged present-day people, too, showing “locations of Indian reservations and the areas occupied by the remnants of Indian tribes in Virginia.”¹¹⁸

This is one of the few references to present-day Virginia Native people in extant publications on the Exposition, despite the many graphic and textual references in those publications to a romanticized vision of their importance in a colonial past. These references included images of Pocahontas as well as more generic Indian figures that

¹¹⁶ “Notes: Jamestown Exposition,” *Smithsonian Miscellaneous Collections* 50 (1907): 285-286.

¹¹⁷ Smithsonian Institution, *The Exhibits of the Smithsonian Institution and United States National Museum at the Jamestown Tercentennial Exposition, Norfolk, Virginia, 1907* (Washington, D.C.: Smithsonian Institution by Judd and Detweiler, Inc., 1907) 15.

¹¹⁸ *The Official Blue Book of the Jamestown Ter-centennial Exposition, A.D. 1907* (Norfolk, Virginia: The Colonial Publishing Co., Inc., 1909), 410-11.

graced the promotional literature on this fair. In contrast, the “midway” section of the fair, where more popular entertainments happened, included a 101 Ranch Wild West show “with a great array of Cowboys, Cowgirls, Mexicans, and Indians illustrating actual life in the far-west. Bucking broncos, lassoing wide steers, Indian dances, and other startling attractions may be seen.” In an effort to capitalize on the popularity of the Philippines display in St. Louis, the Jamestown Exposition also offered a Philippine exhibit with “Igorrots in native costume. These people are capable of high development, but are now next to lowest type of human beings on the Islands.”¹¹⁹ Compared to the situation at St. Louis as Hoxie analyzed it, the contrast between these two attractions may indicate a move toward connecting “far-west” Indians to an American nationalistic and romantic narrative more than to a global menagerie of the “world’s many ‘backward races.” Still, the tension Hoxie describes between “civilized” Indians and exoticized, primitive ones is clear at the Jamestown exposition of 1907 as it was in earlier fairs.

Despite many references to Powhatan, Pocahontas, and Indians’ early contact with white colonials in tidewater Virginia, and despite the presence mere miles from the Exposition site of people who proudly claimed and proclaimed their status as descendants of Powhatan and Pocahontas, many of the various promotional publications and official reports on the Norfolk exposition do not mention the presence of Powhatan Indians performing at this fair. Perhaps the photograph of those 1907 performers now in the National Anthropological Archives depicts an event that happened during a relatively short period of the fair’s existence. It does appear that their performance happened at the

¹¹⁹William H. Lee, *Glimpses of the Jamestown Exposition and Picturesque Virginia* (Chicago: Laird and Lee, 1907), not paginated.

“midway” section of the fair, the entertainment district officially called the “War Path.”¹²⁰

Though the B.I.A. offered a vision of contemporary Indian “progress” and the 101 Ranch provided Plains people in full regalia, the Powhatan people in this exposition apparently had relatively little opportunity to pursue what was, by then, their established effort to position themselves as “real” Indians whose heritage placed them squarely in the middle of a major national historical narrative of the colonial roots of the of the modern nation. Their relative obscurity at the 1907 exposition seems even more obvious given that there was a plan hatched for an “exhibit” by New York State Tuscarora people, described as having “ruled” parts of Virginia and the Carolinas in 1907. The New York Tuscaroras were billed as possibly having some Welsh origins and therefore being “of a much lighter complexion than any of the other tribes of the North American Indian,” and the plan was for an exhibit complete with a “white chief.”¹²¹

The grounds of the Exposition were mapped with “Powhatan’s Oak,” sites of an “old Indian burial ground” and “Indian spring,” and streets named Algonquin, Pocahontas, and Powhatan.¹²² Among the many “state and special days” designed to draw visitors, May 15 was advertised in official exposition publications as “Virginia Red Men Day.” On that day the “Great Council of Red Men,” a fraternal white men’s organization, “paraded in Norfolk and then captured the Exposition. One hundred painted and fearless braves swarmed over the grounds and through the buildings of the

¹²⁰ Frederic W. Gleach, “Pocahontas at the Fair: Crafting Identities at the 1907 Jamestown Exposition,” *Ethnohistory* 50 (2003): 436.

¹²¹ A.S. Kelton, “Tuscarora Indians to Have Exhibit at the Jamestown Exposition,” *Jamestown Magazine* 1 (1907), no. 10: 36-39.

¹²² Lucy Red Wise, “Romantic Sewell’s Point, *Jamestown Magazine* 1 (1906), no. 5: 25.

Exposition.”¹²³ Thus, at the 1907 fair, white men played Indian, a wild-west show titillated visitors with images of perilous Plains Indians overcome, Pocahontas and her contemporaries were celebrated for rescuing John Smith and his fellow colonists from starvation, and the Bureau of Indian Affairs and Smithsonian Institution presented more earnest representations of assimilating western Indians as well as primitivized archeological and modern “aboriginal handiwork.” In the midst of all this activity and myth-making, the contemporary Powhatan people of Virginia in 1907 were barely visible, in official publications, at an exposition in their own back yard.

However little space they occupied at the 1907 exposition, the public performances of Powhatan people retained urgency because Virginia Indians felt a continuing necessity to try to insulate themselves from the discriminations practiced against Virginia’s African Americans. As we have seen, these pressures had already, by 1907, led the Chickahominies-- non-reservation “citizen” Indians-- to assemble a tribal roll, in part with the advice of William Terrill Bradby and James Mooney.¹²⁴ The interventions of ethnographers like Mooney did not end with 1893. Relevant for this discussion of public performance is that the anthropologist and folklorist Frank Speck recommended that Virginian Indians develop a new “Powhatan Confederacy,” which held powwows, but this did not last.¹²⁵ Chapter four will take up further the story of involvement by late-nineteenth and early-twentieth century ethnographers such as

¹²³ *The Official Blue Book of the Jamestown Ter-centennial Exposition, A.D. 1907* (Norfolk, Virginia: The Colonial Publishing Co., Inc., 1909.), 177-178.

¹²⁴ Rountree, *Pocahontas’s People*, 212-213.

¹²⁵ *Ibid.*, 218.

Mooney and Speck in the various activist and separatist moves of Virginian tidewater Indian groups.

The formation, display, invention, and re-invention of Powhatan identities through separate institutions and public performances was in some ways highly successful in creating as well as preserving Native spaces in tidewater Virginia. Given the powerful racialized pressures they faced over decades of segregation and the eugenicized racialism of the 1920s, that achievement should not be underestimated. It sometimes connected tidewater Indians to larger narratives of Indian survival and it firmly grounded their claims to being the first Virginians situated in history as well as in a distinctive Native social and cultural identity. At the same time, as this chapter has shown, these processes of invention and survival entailed acquiescence and acceptance of segregation as part of the price for community schools and churches. Native Virginians played in the arena of the “color line” even as they carved out for themselves a particular spot that was neither black nor white. They did not, though, exit the playing field of race.¹²⁶

¹²⁶ In my view, in her published works Helen Rountree did not intend to focus on how “mainstream” ideas and vocabularies about “race” influenced the thinking and institution-building of those organized Native people in tidewater. She appropriately recognized the power of racism and segregation, but it was not her project to explore how American racialism shaped the ways tidewater Indians created and represented their Indianness, as this project does.

Chapter Four

“Conjuring:” Ethnologists and “Salvage” Ethnography among Tidewater Native American Peoples

The task of trying to reconstruct Powhatan ethnology has indeed been like conjuring. There seems to be little on the surface, yet shadows of remote customs and modified survivals of old economic life persist.... Many pleasant weeks have been passed consorting with the much-diluted Indian remnants of the tidewater country, yet each season creates a deeper feeling of respect for their loyal tenacity to their Indian traditions. This is responsible for the survival of many desirable facts hidden away in memory's closets.¹

So said Frank G. Speck in the course of his fieldwork and collecting in the 1920s, '30s and '40s as a professional anthropologist among Indian people in tidewater Virginia. He was discussing people who had already been hard at work establishing social and cultural identities as Native Americans for some decades before he encountered them. Strikingly, Speck defined his role as one that involved reconstruction of “hidden” cultural “survivals” among “remnant” people. This chapter will argue that early white ethnographers' dealings with tidewater Natives participated in, but grappled with, what we would now label “essentialized” ideas about Indianness, including notions about what constitutes a “real” Indian that, viewed in retrospect, partake of static notions of Indian identity.

Speck and other ethnographers have played ambiguous roles in the story of how Native Virginians, as communities and individuals, before and after passage of the 1924 “racial integrity” law, might or might not publicly proclaim and reclaim Native identities. Before Speck arrived, James Mooney of the Smithsonian's Bureau of American Ethnology conducted research to try to identify Virginia Indians, asking questions about

¹Frank G. Speck, *Chapters on the Ethnology of the Powhatan Tribes of Virginia*, Indian Notes and Monographs, vol. 1, no. 5 (New York: Museum of the American Indian, Heye Foundation, 1928), 232 .

physical appearance and distinctiveness of cultural traditions.² Later, Frank Speck looked particularly to material culture and practices such as hunting and fishing as means to establish a basis on which Native people in Virginia might be considered distinctively “Indian.” When Speck worked with a number of eastern Native groups, often part of his strategy was to uncover or recover linguistic, material-culture, and other “survivals” or revivals of “tradition” that could be presumed to show continuities and links with the pre-Columbian past. Both he and Mooney seem solidly part of a context in which early anthropologists helped create a vision of non-Europeans as culturally “other” people by focusing on description of “exotic” social and cultural systems, languages, and expressive and material cultures-- in ways that could consign that “other” culture to “primitive” (and therefore “inferior”) status.

As Speck wrote and published on Native groups in Virginia, his research involved him in attempts at advocacy for Native people in Virginia after 1924. Presumably, he viewed himself as an ally and catalyst in Native Virginians’ efforts for community recognition, organization and resistance to Walter Plecker and his allies. In some ways, though, the involvement of ethnographers like Speck also fostered ahistorical models of Native identity. It would have been difficult for them to do otherwise, given all the prevailing strains and strands of racist thinking of the times of Mooney and Speck.

Even before Speck’s arrival among them, tidewater Native people had learned about the uses of anthropology and anthropologists. Smithsonian staff from the Bureau of American Ethnology (B.A.E.) had begun to take interest in Eastern seaboard Indian

²Washington, D.C. National Anthropological Archives, Smithsonian Institution. Papers of James Mooney and Albert Gatschet related to Indians of Virginia. Mss. 1449, 2014, 2190, 2197, 2199, 2215, 2218, 2497, 3579, 3695, 4969, and photographic lot 87-6.

groups in the late nineteenth century, at a time when Virginian Indians were grappling with the implications of racialized segregation as constructed in the post-Reconstruction South. Having seen how racialism in its varied forms buttressed Jim Crow laws, Virginia's tidewater Indians were aware of how "science" could serve the interests of those who wished to place Native Virginians on the "black" side of a color line that whites worked so hard to construct. Whenever whites called them black, "colored," mulatto, or "mixed," tidewater Natives understood that they faced the second-class citizenship that was part of the framework of the lives of their African-American neighbors. Tidewater Indians' willingness to work with ethnographers such as James Mooney and Albert Gatschet of the B.A.E, and later with Frank Speck, shows their understanding that "science" could operate in other ways, too, as they struggled to avoid Jim Crow strictures on their communities.

Powhatan peoples' engagement with ethnographers meant they were working with white scholars who came from the context of the general racialized belief systems, interests, and attitudes of the larger white society. As has been noted by present-day historians of anthropology, early white ethnographers in the United States staked out as their sphere the study of "native" and "primitive" peoples and cultures. Historians of that era defined history largely as a narrative of the progress of (white) "civilization" and political institutions. As a result, Virginia's organized tidewater Indian groups would have found few groups of white scholars other than anthropologists interested in their situations and political goals. Thus, it is not surprising that ethnographers were prominent among the white "friends" with whom Powhatan people worked.

By engaging professional white ethnographers, beginning in the 1880s, Virginia Native groups recognized that, in inviting the gaze of ethnographers, they could gain testimony from whites who had positioned themselves as particularly authoritative voices on questions of Indian cultures and identities and the definition of what was “authentically” Indian. Ethnographers could support Virginia Powhatan claims of Indianness by affirming that tidewater Virginia Indians fit commonly held white stereotypes of what made a “real” Indian, and, alternatively, by affirming that, even in areas where Virginia’s Indians seemingly did not fit those stereotypes (language, for example), “authentic” Indian traits could still be uncovered, recovered or re-invented to testify to a distinctive “Indianhood.”

Looking back from the year 2008, we can see this affirmation as a double-edged tool. It meant that Virginia’s organized Indians gained a significant form of white support in their fight for recognition as Indians in the most overtly segregationist era of Virginia history. That support, however, came from outsiders who had their own visions of “race” and what made someone “authentically” Indian and whose work could involve explicit or implicit searches for cultural remnants of an “aboriginal,” pre-1492 world. To the extent that ethnographers like Mooney and Speck looked for the “aboriginal,” they could not avoid participating in some popular white notions about the “primitive” nature of “real” Indian cultures. When Virginia’s tidewater Native people traveled on anthropological terrain, they operated in a landscape with some barriers against more fluid and historicized ways of looking at the formations of Indian identities.

This is not to say that James Mooney and Frank Speck were merely perpetuating popular colonialist and racialized visions of a hierarchy of cultures. It is to suggest that

in some ways early ethnographers' analyses could, for Powhatan peoples, prove to be dead ends over the long historical haul-- compared with an alternative approach (that one can imagine today) based in notions that community belonging and identity derive most importantly from community participation, and from cultural knowledge sufficient for observance and understanding of community standards and obligations. It is not the purpose here to recite the well known history of anthropologists trying to come to terms, especially during and after the late 1960s and 1970s, with their own profession's historical participation in Western colonialism. Rather, in line with George Stocking's work, this chapter presents a case study about the influence among ethnographers of notions of "blood" and ideas about the "aboriginal" and the "traditional" as the most important markers of "authentic" Indianness. This case is also a story about how ethnographers, historically, might appraise and influence processes of community and individual identity formation as sites of creativity, invention, and "salvage."³ In this case, too, the subjects of ethnographic research strategically managed their relationships with ethnographers in pursuit of their own needs and goals.

The involvement of the Bureau of American Ethnology and of Speck with tidewater Natives unfolded in the context of a period when ethnography was developing into what we today recognize as its modern forms. From the late 1880s into the 1940s, as tidewater Virginia Indians attracted and solicited the attention of ethnographers, anthropology as the study of Native Americans was developing in this country from roots in museums, where some of its eminent early practitioners were people trained in the

³George W. Stocking, Jr., ed. *Colonial Situations: Essays on the Contextualization of Ethnographic Knowledge*. History of Anthropology, vol. 7. (Madison, Wisconsin: The University of Wisconsin Press, 1991), 4.

natural sciences and who were inclined toward systematic schemes of ordering and classification intended to be comprehensive and all-encompassing. John Wesley Powell, as head of the Bureau, and Frederic Ward Putnam (whom we have already met as the man who welcomed William Terrill Bradby to the ethnological exhibitions at the 1893 Columbian Exposition) are just two the most eminent and influential exemplars of the early ethnological emphasis on description and classification along “scientific” lines, an emphasis patterned on natural history scholars’ collection and display of specimens organized according to overarching taxonomic schemes of classification.⁴

By the 1940s, anthropology’s major figures were more often found in college and university faculties than in museums, and most anthropologists had embraced Franz Boas’ dictum of 1887 that “classification is not explanation.” Boas argued against older taxonomic practices by asserting that “...ethnological phenomena are, in the same way as geological or biological phenomena, the result of definite historical happenings.”⁵ Still, in the period of Boas’ greatest influence, the concerns of professional ethnologists and ethnographers were often synchronic, a trend reinforced by Boas’ emphasis on a particular kind of “participant observation” fieldwork. Thus, what James Clifford described as the “...‘ethnographic present,’ the idea that the moment of fieldwork could stand in for any moment in the life of the people being studied...” was powerful in ethnological and ethnographic discourse and analysis when Speck was involved with tidewater Indians.⁶

⁴ Steven Conn, *History’s Shadow: Native Americans and Historical Consciousness in the Nineteenth Century* (Chicago and London: The University of Chicago Press, 2004), 190.

⁵ Conn, *History’s Shadow*, 192-193, 194, 195.

⁶ Conn, *History’s Shadow*, 195-196.

Frank Speck, in his work among Powhatan Indians in Virginia, found himself among people whose present-day culture represented, by most reckonings, centuries of radical change, whether in alterations of many aspects of material culture (or in the loss of “aboriginal” language) compared to some chosen moment in the Powhatan peoples’ ethnographic past. As a student of Franz Boas, Speck participated in a professional world largely preoccupied with ahistorical models and methods of investigating culture. His fieldwork and advocacy, as a result, reflect concern for “recovering” if not re-inventing past practices as well as the influence of his training in a profession that prized the “moment of fieldwork” rather than being overly concerned about change over time.

At the roots of nineteenth-century anthropology in America was the notion that Europeans and European-Americans existed in time as the subjects of “history” and the “other” peoples became the subject of scrutiny that placed them outside “real” history in a teleologically-driven narrative about human progress. Many early anthropologists in the United States based fundamental aspects of their craft in the idea, which became generally popular, that human societies could be placed on a scale from savagery to barbarism to “civilization” and that the essential narrative of a society was one of progress (or lack thereof) on that scale.

Even linguistics was put in the service of this classificatory scale, as one of the criteria for placing human societies in the scale of progress. As Steven Conn points out, for John Wesley Powell as head of the Bureau of American Ethnology, “Language worked wonderfully well to help with this classification because Powell and others believed that it was essentially a reflection of the scale of social evolution the speakers

had reached.”⁷ (In fairness, Powell was also interested in linguistics as a tool for trying to uncover historical movement of peoples and inter-group contacts.⁸) The B.A.E. ethnographers who engaged Powhatan peoples in the last years of the nineteenth century thus worked hard to find “fragments” of Algonquian language among those people. James Mooney and his B.A.E and Smithsonian colleagues were avid for shards of vocabulary, reflecting John Wesley Powell’s influence in emphasizing language in Native American studies.

B.A.E. ethnographers also sometimes used language that to modern ears seems to place Indians solidly among the “primitive.” Today, Frank Speck, too, can seem not far removed from the notion of Indians as “primitive,” as he searched for “remnants” of Indian culture to salvage in the service of re-constructing, or re-inventing, a vanished past and creating an ethnographic present. When Speck described work among Powhatan people as “conjuring,” he seems to place himself, rather than his informants from those “much-diluted Indian remnants,” in the position of the conjuror. “Dilution,” besides historical processes of adaptation or accommodation, was among his models for understanding a past full of social and cultural change among these Indians. Speck seems to have had a high level of confidence about his own authoritative role in “the task of trying to reconstruct Powhatan ethnography.” He was born at a time when, in the minds of many Americans, “real” Indians were “prehistoric” people, in the sense that they were seen to represent a stage of human development outside of and antecedent to “civilization” and whose past was therefore disconnected from the flow of “Old World”

⁷ Conn, *History’s Shadow*, 180.

⁸ Curtis M. Hinsley, Jr., *Savages and Scientists: The Smithsonian Institution and the Development of American Anthropology, 1846-1910* (Washington, D.C.: Smithsonian Institution Press, 1981), 150-151.

and United States history. Early ethnographers, like historians in that era, were not fundamentally in the business of dismantling such primitivist assumptions in their work with Indian people.

Still, since ethnographers were accepted by the larger society as authorities on Indians and Indianness, ethnographers had their uses for the organized tidewater Indian groups who sought help to validate their Indian identities in the face of intense pressures from white official Virginia. There would be long-term consequences to flow from not challenging the fundamental basis of racialized systems of thought. The process of delineating Powhatan community boundaries in the midst of Jim Crow, aided in part by ethnographers, in some senses reaffirmed prevalent racializations of Indian identities. Separation of organized Indian groups from white and black neighbors and even from kin could result. In their most immediate, pressing battles of this period, Virginia's organized Indians fought to position themselves adjacent to or outside a black-white "color line" but not to destabilize that line.⁹

The interests of the Bureau of American Ethnology (John Wesley Powell and his staff) in southeastern Indians and particularly in tidewater Natives illustrate some important aspects of the Bureau's history. While the B.A.E.'s most famous projects, like the work of James Mooney on the Kiowa people or on the Ghost Dance, concerned Native peoples west of the Mississippi, Powell's dedication to the idea of systematic,

⁹ As argued in chapter three, they fought this battle not only by tapping into ubiquitous pan-Indian imagery representing "timeless" Indianness, but also by rooting their Indianness in well-known historical narratives of national origins, to construct their history as a narrative with an unbroken continuity from Virginia's colonial past and to position themselves in the flow of mainstream United States national history.

encyclopedic, and taxonomic studies of Native peoples of North America meant that the Bureau did not restrict its work to the West. Powell aspired to comprehensive classification and description of Native peoples and cultures across the continent. James Mooney's first field work as a B.A.E. staffer was among the Eastern Cherokee.¹⁰

Just a few years later, Mooney began making inquiries about Native people in the southern central eastern seaboard, and he was joined in looking at this region by a B.A.E. colleague, Albert Gatschet, whose primary interests were linguistic. Their work reflects Powell's sense of the importance of language study, and his leadership while at the B.A.E. to establish the study of Indian languages as a primary field for American ethnology.¹¹ In 1893, Albert Gatschet wrote about his work on Gulf Coast and "southwest" "Algonkinian [sic] dialects" that he and "the Director" (Powell) had settled on the "Algonkinian.. as the most important and most accessible " from the point of view of "advantages to science."¹² The ambition to cover the country geographically and taxonomically was part of the motivation for this B.A.E. focus, limited as it was, on the relatively obscure Powhatan groups.

Thus, B.A.E. research in Virginia was inspired at least in part by a larger research strategy designed to further Powell's ambition to place B.A.E. work in a systematic and encyclopedic framework, with the greater good of "science" in mind. As noted, it also seems likely that the pageantry that some of the Pamunkey people had been staging in the

¹⁰ John C. Ewers, introduction to the 1979 edition, *Calendar History of the Kiowa Indians*, by James Mooney (1898; reprint Washington, D.C.: Smithsonian Institution Press, 1979), viii.

¹¹ In addition to the work of Mooney and Gatschet, the Bureau also published a report on the Pamunkey by John Garland Pollard, a prominent Virginia politician.

¹² Albert Gatschet, Annual Report to the Director for 1893, ms. 4734, National Anthropological Archives, Washington, D.C.

1880s attracted B.A.E. attention.¹³ Surely, the fact that Virginia had state-recognized reservation lands also helped make Virginia attractive as a field for research. As early as 1877, Otis Mason of the Smithsonian's National Museum had taken note of the interest of a local minister named Dalrymple in the reservation Pamunkey and Mattaponi, including "preservation of their ancient modes of making pottery." In 1878 at least one piece of historic Pamunkey pottery collected by Dalrymple was accessioned into the National Museum collections. The accession record at the Smithsonian says the piece had been produced in 1801 by "the last survivors of the Pamunkey and Mattaponi Indians."¹⁴ Such was the pervasiveness of the narrative of the "vanishing" Indian on the eve of Mooney's investigations of Powhatan groups.

It appears that the first challenge for Mooney was identifying where there might be Indians in Virginia in addition to the reservation people-- a situation that it seems unlikely Mooney faced very often in his other field work. As a result, in the spring of 1889 Mooney sent a questionnaire to numerous addressees throughout the mid-Atlantic region, under the name of John Wesley Powell, with a short list of queries designed to elicit information about remnants and relics of former Indian presence on the land, and about living persons of "pure or mixed Indian blood in your vicinity." In the Bureau's tenth annual report to the Smithsonian's Secretary, Powell thought this was important enough to mention that Mooney in 1889

...began the collection of material for a monograph on the aborigines of the Middle Atlantic slope, with special reference to the Powhatan tribes of Virginia.

¹³ Helen C. Rountree, *Pocahontas's People: The Powhatan Indians of Virginia Through Four Centuries* (Norman and London: University of Oklahoma Press, 1990), 202.

¹⁴ Mason quoted in Theodore Stern, "Pamunkey Pottery Making," *Southern Indian Studies*, v. III (1950): 6, 45.

As a preliminary, about one thousand circulars, requesting information in regard to local names, antiquities, and surviving Indians were distributed throughout Maryland, Delaware, Virginia and northeastern Carolina. Sufficient information was obtained in responses to afford an excellent basis for future work in this direction.¹⁵

Mooney sent the questionnaire to prominent whites and to the leader of the Pamunkey people. His list of questions shows a desire to collect information about archeological and geographical relics as well as ethnological data, and to locate appropriate informants. Mooney posed only four queries. First, he asked about local place names “in your county or immediate vicinity [that] seem to be of Indian origin.” Mooney thought it was likely that Native or “mixed” peoples might be found by beginning the search in places where they had historically been located. As he later put it, he guessed that “the largest bodies of Indian admixture would still be found where the largest tribes had originally resided...”¹⁶ He was also interested in how geographical labels might perpetuate the memory of past Indian groups who no longer occupied their former places on the landscape. Second, Mooney asked respondents to identify “names and addresses of individuals of pure or mixed Indian blood and state to what tribes they belong...” This question reflects the common vocabulary of, and preoccupation with, “blood” and the notion of “pure” blood in identification of Indian communities and individuals in the context of nineteenth-century conceptions about “scientific” racism. Mooney’s third query was about “Indian remains ...including mounds, graves, town-sites and shell heaps” and “Indian pictures and carvings.” Here, Mooney’s interests in

¹⁵ John Wesley Powell, *Tenth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution 1888-'89* (Washington: Government Printing Office, 1893), 20.

¹⁶ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes) p.29, ms. 2199, National Anthropological Archives, Washington, D.C.

antiquities reminds us of earlier nineteenth-century debates about the nature of the Mississippian mound-builders, and more generally about whether North American Indians had been capable of the kinds of technological and political sophistication that whites commonly saw as markers of the march toward “civilization.” Mooney’s fourth question was about “names and addresses of any persons who may be able to give additional information.”¹⁷

With this questionnaire, Mooney surely intended to lay some groundwork for future, more systematic methods of locating Indian peoples and archeological evidence about their pasts. Further, he was seeking to find indigenous (and “mixed”) people in a part of the country where few Native peoples other than the people now known as Lumbee and eastern Cherokee had achieved much official recognition from whites. In some ways, Mooney was setting out to travel what was then new ground in the newly invented fields of ethnology and ethnography. He recognized in his conclusions about his research that red-black racial “admixture” was at work within and outside Native communities and identities, when he noted that “it is in place to state that there is undoubtedly a considerable infusion of Indian blood among the negroes of the whole south Atlantic tidewater region.”¹⁸

Mooney’s methods and questions at this stage of his research, then, reflect both the influence of white notions about race and “blood,” and the state of the developing field in which he was engaged. His initial effort at outreach shows his recognition of the

¹⁷ James Mooney, “Circulars and other materials concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

¹⁸ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes), pp. 28-29, ms. 2199, National Anthropological Archives, Washington, D.C.

necessity of finding Indian informants, and it demonstrates that he was also willing, and perhaps felt it necessary, to rely on local white opinion in some ways. Joseph Henry, as first Secretary of the Smithsonian, had had an ambitious vision of the Institution as a focal point for coordination in the systematic collection of raw scientific data in many fields. That vision included the establishment of a national network of individuals who, if amateurs, were scientifically minded and could report back to the Smithsonian their careful observations, guided by instructions and instruments from the Institution, to extend the Smithsonian's reach in gathering comprehensive data across a vast continent. Mooney's modest, non-technical questionnaire about mid-Atlantic Indians presumed no special expertise from respondents in the ethnological field, but it illustrates how in the early years of the Bureau of Ethnology (B.A.E.), such questionnaire and inquiries were among the B.A.E's common methodologies.¹⁹

Quite probably most white recipients of Mooney's questionnaire were prominent enough to be considered elite. Judging by the number of medical doctors who responded, it could be that Mooney particularly sought out physicians in his survey. It is hard to imagine the physician Walter Plecker making any similarly broad-based effort to gather opinions, except from people he had reason to think might support his position on the racialized identities of tidewater Native people. Still, as Plecker did in later years, Mooney relied to some degree on the testimony of local whites in looking at issues of community reputation and Indian identities.

The results of Mooney's questionnaire reflect, as might be expected, a cautious stance among white respondents toward recognition of Indian identities among non-

¹⁹ Hinsley, *Savages and Scientists*, 34-35, 47-48, 222.

reservation people. A medical doctor in Henrico County noted “There are a few persons of mixed blood in my neighborhood, said to be of the Pamunkey Tribe. The best known of them is J. T. Pearman.” Pearman is the sole source the doctor names; he says “I do not know of any person likely to give any additional information.”²⁰ Dr. B. C. Harrison mentioned Ferdinand Wynne and A. Q. Franklin of New Kent County as people “of the Pamunkey tribe. very slight infusion of Indian blood.”²¹ E.C. Wynne from near Williamsburg responded to Mooney’s question about present-day Indians this way: “only one near here Joseph P. Wynne Part negro and industrious black smith and accumulating but given to drink. One of the Pamaunkee tribe....” At another end of the class spectrum, this respondent mentioned as a possible source of more information (not as a person to be counted among “individuals of pure or mixed Indian blood”) the wife of Dr. Charles Coleman of Williamsburg, “a niece of John Randolph who was a descendant of Pocahontas.”²² In her reply to Mooney, Mrs. Cynthia B.T. Coleman of Williamsburg mentioned only “A tribe of Pamunkies” in response to Mooney’s second question.²³ Assuming she was Mrs. Charles Coleman, this can be read as yet another affirmation that elite Virginians proud to claim Pocahontas as an ancestor saw themselves as white, not red. A respondent from Buckingham County (west of Richmond) mentioned no present-

²⁰ Response of sp? Garthon Archer, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

²¹ Response of B.C. Harrison?, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

²² Response of E. C. Wynne, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

²³ Response of Cynthia B.T. Coleman, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

day Indians except to say that “We have Bollings, Hubbards, and Eldridges all lineal descendants of Pocahontas in Buckingham.”²⁴

One respondent from Amelia County, in the south-central part of Virginia began his response to Mooney’s second question by mentioning an elite family of “Indian descent,” but then also noted “There are some colored people from early slaves who claim Indian kinship, and many of them rightly; but nothing definite in their history can be obtained.”²⁵ In contrast with the reticence of other respondents, and in light of the fight over questions of Indian “kinship” for whites and blacks that were to come in the 1920s, this respondent was relative open to the idea of Native ancestors in both black and white families.

Some responded to Mooney’s question two with simple “no” answers. For example, a woman who lived across the James River from Charles City County reported no one “of Indian blood” in her vicinity, though “Indian Arrow points have been found around us, and we have in our Hall an Indian axe and hatchet picked up near our residence, of rude stones.”²⁶ At this moment, the Chickahominy across the river had yet to organize formally, but this woman’s vision of Indians as long-gone “stone age” people whose tangible productions were “rude” signals how hard it might be for contemporary Indians to achieve recognition.

²⁴ Response of Robert Hales, M.D., in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

²⁵ Response of Joseph W. Southall, M.D. in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

²⁶ Response of Isabella H. Harrison, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....,” ms. 2190, National Anthropological Archives, Washington, D.C.

Other responses were more carefully hedged. A Norfolk respondent said “There are, I understand many persons claiming Indian progenitors- such as the relatives of President Harrison.”²⁷ For this respondent, perhaps, it was comforting not only to put “Indians” in the category of vanished and primitive people, but also to believe that, in his time, any remaining descendants of Powhatan’s people were the result of Pocahontas’ marriage to a white man. The impulse behind the 1924 “racial integrity” law’s “Pocahontas exception” seems to be at work here as it was with E.C. Wynne.

Dr. H. N. Hewitt, from near Lynchburg, reported about Indians that in his vicinity there were “none worth the mention.”²⁸ This conditional denial suggests that Hewitt might have been in a position to know about the people in nearby Amherst and Bedford counties who later caused Walter Plecker such anxiety. Like many other respondents, Hewitt had no trouble acknowledging stone and pottery artifacts as evidence of the past presence of Indians on the land. Recognition of archeological evidence of “extinct” Native Americans, and relegating Indians to a buried, vanished past, was simple for these white Virginians compared to acknowledging present-day Indian people. From Fairfax Court House, Mooney’s queries elicited a response that “We have no pure Indians, some negroes claim to have Indian blood.”²⁹ At least this denial, skeptical as it is about African American “claims,” seems to acknowledge the presence of “mixed” people.

²⁷ Response of L. B. Anderson, M.D., in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

²⁸ Response of Dr. H. N. Hewitt, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

²⁹ Response of H. W. Mimas (sp?), in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

One even less skeptical respondent from Southampton County preserved the memory of the break-up of the Nottoway tribal lands in that southern part of Virginia. He explained that “There are no pure blooded indians” at least in part because, he had been told, historically some Indian women “formed connections with negroes and others...” Thus, he acknowledged “mixed” descendants of the Nottoway while emphasizing that the tribe as a political organization no longer existed. This respondent, though, took care to fit his story into an overall narrative about how “These prehistoric races are passing away... , is not this the history of all the continents the higher races coming to drive out the lower and bring a higher civilization....”³⁰

Even white respondents who acknowledged the political existence of people still living on reservation lands in the late nineteenth century could hedge about their neighbors’ Indian identities. A King William County respondent, for example, said “Indian Town on the Pamunkey is quite a settlement of mixed blood... There is also a settlement on the Mattaponi, but very few are left.”³¹ One man from King and Queen County described the reservation groups in neighboring King William County this way: “The Indians are not pure & some shew but little traces of Indian blood. They elect their chiefs.” Rather than referring Mooney to those chiefs, he mentioned some elite white

³⁰ Response of William B. Shands, including a letter dated 30 June 1889 from Shands to Mooney, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

³¹ Response of I. T. Edwards, M.D., in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

Virginians as possible sources of “correct” information.³² S. F. Harwood, another King and Queen County respondent, similarly said about the “remnant” of the Mattaponi people, his neighbors, that “They have dwindled to a small number now, mostly by removals, and those that remain are right much mixed with negro and white.” This person went on to report that a minister named Dalrymple had “had a number of pieces of pottery made by the Mattapony Indians,” in order to “ascertain whether the component parts were the same as that in the pottery found in the Western Mounds & He told me afterwards that it was” and that the minister had deposited some of this material at the Smithsonian.³³ What Mooney heard from this respondent shows slightly more openness to the question of Indian identity than almost any other white respondent to Mooney’s questionnaire.

W. A. Bradby replied to Mooney’s questions as chief of the Pamunkey. Bradby’s response seems calculated both to answer the questions Mooney asked in a straightforward way, and also to take the opportunity to introduce Mooney to basic information about the Pamunkey and Mattaponi groups as people with a distinctive economic and political base. He remarked that the “Indian Town” people relied largely on “hunting and fishing for a living” and that they had their own chief, council, and trustees who enforce their own laws. While some of his handwriting is hard to read, Bradby’s text here seems to alternate between referring to his group in the third person, and using the first person “we” and “us” or “I.” Perhaps, in responding to white

³² Response of Thomas Satane, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

³³ Response of S. F. Harwood, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

authority here, Bradby's usages reflect the difficulties of representing the Pamunkey to a society that was so much larger and more powerful than his own community and that questioned his community's reason for being. Perhaps this situation meant that he sometimes used language to position himself looking at the community from the outside as well as from the inside. If so, then perhaps this reflects a kind of "two-ness" of vision, a variation on what W.E.B. DuBois identified as a response to a racialized position that constantly poses the question "How does it feel to be a problem?" It is hard not to sense some sadness, in contrast to white respondents who freely talked about arrowheads, mounds and other archeological evidence of ancient Indian occupation in their vicinities, behind Bradby's reply to Mooney's question three about "Indian remains." He wrote that such antiquities "have disappeared from us."³⁴

Mooney continued to try to locate tidewater Indian Virginians for years, as is shown by his correspondence with a man prominent among the Nansemond people of Norfolk County in 1899. Here again, Mooney used prominent whites in his search for contacts; the Norfolk County clerk was his source for the address of Augustus Bass. Following Bass' reply, Mooney was interested enough to visit the Nansemond group.³⁵ He did this despite the fact that Bass painted a picture of an "assimilated" community that had a church with a white preacher, supported themselves chiefly by farming, did not remember the "old language," and did not make "Indian pottery." Bass also told Mooney that Nansemond children received schooling supported by the County "as other white

³⁴ Response of W. A. Bradby, in James Mooney, "Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912....," ms. 2190, National Anthropological Archives, Washington, D.C.

³⁵ Rountree, *Pocahontas's People*, 207.

schools.” In this area, though, Bass had evidence of official recognition of Nansemonds as Indians to cite. He told Mooney that the school is “Indian school No 9 of Norfolk County” and has an “Indian teacher.” Bass’ letter shows eagerness for information about, and contacts with, any of “my Kins People” that Mooney could provide or facilitate, and Bass asked the names of tribes that Mooney had visited. Bass described the Nansemond as “our Tribe,” though at that moment, they had “no organization with chief.” Bass’ hunger to connect with other Indians seems to show that Frank Speck’s later efforts to facilitate such inter-group connections met a need already felt among tidewater Indians.³⁶

Mooney and his B.A.E colleague Albert Gatschet followed the survey effort by visiting tidewater Native people to do fieldwork. Responses to his questionnaire had revealed respondents’ assumption that being of “mixed” ancestry diluted claims to Indian identity. It would have been surprising had Mooney written about this question without being influenced by common and official ideas about “blood.” Mooney seems to have begun his work assuming certain levels of what he called “admixture,” and responses to his questionnaire would have confirmed this for him. However, when he began his own fieldwork, his Native informants had their own perspectives, some of which Mooney noted. He reported, for example, the community opinion that before the Civil War no one cut their hair above shoulder height, as his informants cited personal memories of older men wearing their hair long.³⁷ That Mooney recorded these memories was presumably a way of bolstering an argument for the “real” Indianness of the Pamunkey in

³⁶ A. A. Bass to James Mooney, 5 December 1899, in James Mooney, “Circulars and other material concerning Indians and traces of Indians in Virginia, Maryland, Delaware, and North Carolina, 1889-1912...,” ms. 2190, National Anthropological Archives, Washington, D.C.

³⁷ James Mooney, Pamunkey Notes, post 1899, ms. 2218, National Anthropological Archives, Washington, D.C.

two ways. Long hair fit certain popular pan-Indian images of male appearance, and it could also signal that Pamunkeys did not conform to white stereotypes about African American hair, stereotypes that white southerners claimed to find a reliable indicator of African descent and black identity. Mooney, in other words, was in some ways accepting of such stereotypes about appearance, while arguing for Indian identities among his tidewater informants.

Mooney and Albert Gatschet sought to identify Indian people in the tidewater—and their search went beyond the reservation groups-- and also to describe what made them acceptably Indian. Mooney made visits to the tidewater in 1899 and 1901.³⁸ On his 1899 trip, Mooney wrote back to the Bureau about a visit to the Pamunkey this way: “I was surprised to find them so Indian, the Indian blood being probably nearly $\frac{3}{4}$, the rest white, with a strain of negro. Some would pass unquestioned in any western tribe.” The standard for “real” unquestionable Indian appearance, in Mooney’s mind, then, was grounded in images from west of the Mississippi and embraced the notion of blood quantum. Mooney went on to mention other markers of Indian identity that he felt were significant. The Pamunkey, he said, “...have their own chiefs & tribal organization, and also an Indian dance society.... They are entirely Indian in feeling, altho native arts (except a little pottery), dress & language have entirely disappeared.” On this occasion Mooney notes “three bands of Powhatan Indians living in that neighborhood...,” the Pamunkey, Mattaponi, and Chickahominy. The Pamunkey also told him of Nansemonds and Accomacs, on the eastern shore and Southside of Virginia, respectively. This was a

³⁸ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes) p.29, ms. 2199, National Anthropological Archives, Washington, D.C.

lead more positive about the Indianness of those people than Mooney had received from white responders to his questionnaire. Mooney apparently did not visit the Chickahominy on the outbound leg of this trip, but his Pamunkey informants told him the Chickahominy group was probably almost as large as the Pamunkey community.³⁹

Later, in writing for larger audiences about his research and field visits, Mooney noted explicitly that responses to his questionnaire pointed to “unorganized” groups in addition to the reservation people, and that his visits in 1899 and 1901 confirmed this,

resulting in the discovery that not only the Pamunkey and Mattaponi, but also the ancient Chickahominy and Nansemond, were still represented by several hundred mixed-bloods. Smaller groups of the same mixed pedigree were also heard of, but not visited. In all of these bands the blood of three races is commingled, with the Indian blood sufficiently preponderating to give stamp to the physiognomy and hair characteristic. It is probable that from intermarriage nearly the same mixture is in all alike...

Echoing his 1899 letter but more cautiously, Mooney said some of these people looked like “ordinary negroes,” some looked white and “... a few families and individuals might pass as full-blood Indians in any western tribe.” Still, in his opinion,

Notwithstanding the large percentage of negro blood, the Indian race feeling is strong. [crossed out here in Mooney’s notes on his manuscript here is “and the color line strictly drawn”] This is largely due, according to their own statement, to the fact that intermixture was frequently forced upon them in the old days, with the deliberate purpose of claiming their children for slavery. Their one great dread is that their wasted numbers may lose their identity by absorption in the black race, and against this they have struggled for a full century.⁴⁰

³⁹ James Mooney to Prof W. J. McGee, 22 October 1899, Records of the Bureau of American Ethnology, Series 1, Correspondence, Letters Received 1888-1906, Box 109, National Anthropological Archives, Washington, D.C.

⁴⁰ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes) pp. 29-30, ms. 2199, National Anthropological Archives, Washington, D.C.

Mooney added that “Intermarriage with the negro race is now forbidden by Pamunkey law and frowned upon in the other bands.”⁴¹

Mooney also heard about the groups who later organized as the Upper Mattaponi and Rappahannocks, describing them as among “small groups or detached families of mixed-blood stock of the same Powhatan origins.”⁴² Thus, historical “admixture” (if “frowned upon” at the time of Mooney’s research) did not necessarily totally invalidate, for Mooney, the connections these unorganized people claimed to historic Indian roots.

Albert Gatschet also looked at groups who might be considered Indian in addition to the reservation people. He got wind of a group related to the Pamunkey who were identified to him (or by him) as “Cumberland” Indians. These people seem to be the group called by Helen Rountree the “New Kent County fringe” people.⁴³ In 1890, Gatschet visited what he called “three of their remnants” in New Kent County with William Terrill Bradby.⁴⁴

Like Mooney, Gatschet placed some emphasis on physical appearance in the identification of racialized identities. Gatschet’s visits to Virginia produced the report that the Chickahominy “stick hard together; show Indian blood better than Pamunkeys.” To Gatschet’s eye, the reservation “Women look more like Indians than men and are

⁴¹ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes) p. 31, ms. 2199, National Anthropological Archives, Washington, D.C.

⁴² *Ibid.*, 45.

⁴³ Rountree, *Pocahontas’s People*, 190-191. Rountree acknowledges that some of those New Kent people “married both Chickahominies and Pamunkeys.”

⁴⁴ Albert S. Gatschet, Pamunkey notebook, post 1893, ms. 2197, National Anthropological Archives, Washington, D.C.

lean; they have a yellow complexion going into the olive color. Men have thick heads , receding foreheads and some look mulatto-like or negroish.”⁴⁵

Gatschet’s papers include an 1890 newspaper piece (annotated as “written by ‘Dora,’ from correspondence sent by Albert S. Gatschet in November, 1890,”) a piece that echoes Gatschet’s description of the physical appearance of the reservation people, and also reflects common notions about “civilization” and the superiority of white skills.

For example, the piece said of the Pamunkey:

They have so long been civilized that they have utterly forgotten their own language...They have comfortable homes, dress neatly and have acquired most of the habits and customs of the whites. During my stay in this locality I have been domiciled much of the time in a comfortable room in the house of one of these Indian families, and I have been much interested in their simple ways of living. Fortunately our Indian hostess has been trained to cook in some good hotel and the culinary department is well looked after. A cheerful fire is kept in the open fire-place and, all things considered, one might do worse in the way of solid comfort in much more civilized quarters. ⁴⁶

The audience for this piece also learned that, despite their adoption of white “habits and customs” (and if less “civilized” than our reporter might have wished), the Pamunkey remained a distinctive people, in appearance and in their ways of making a living:

These Indians are industrious but more in their own than the white man’s ways. They like to fish with the seine, trap and hunt, and prefer the uncertain income from these sports, and the manifold exposures to life and health, to the steady occupation of husbandry. ⁴⁷

⁴⁵ Albert S. Gatschet, Pamunkey notebook, post 1893, ms. 2197, National Anthropological Archives, Washington, D.C.

⁴⁶ “Virginia Letter. The Pamunkey Indians and Their Little Reservation,” *Washington Chronicle*, 14 December 1890, clipping in ms. 55 and in Gatschet’s Pamunkey notebook, ms. 2197, National Anthropological Archives, Washington, D.C.

⁴⁷ *Ibid.*

While this may be the reporter's view rather than Gatschet's, this article echoes long-standing white concerns about "assimilation" of Indian peoples to agricultural ways of making a living.

The comment in this article on loss of language marks one of the B.A.E.'s major research concerns. Mooney and Gatschet both looked for linguistic information.

Mooney's informants reported of the Chickahominy "one old man who died among them last year had a good (?) knowledge of the old language, & his son is believed to know some words." (Note Mooney's quizzical question mark here).⁴⁸ Later, Mooney wrote

They have entirely lost their aboriginal language and customs, if we except their devotion to the water, and differ but little from their white neighbors. According to the statements of several persons of middle age, their parents some fifty years ago had conversational knowledge of the old language.

Mooney here overtly said he was skeptical about the extent of this knowledge, for he found only one older man, "Wm. W. Weaver, a Nansemond," who had any Native-language vocabulary at all.⁴⁹ Overall, Mooney's conclusions about Powhatan language survivals were relatively pessimistic. It seems that, in earlier stages of his work, he had been a bit more excited about the potential for linguistic discoveries, as shown by a letter he wrote to Gatschet in 1887. In that letter, he says

I thought you would be surprised, as I was, to learn that there were Pamunkies among the Catawbias. They are all descendants of a single man... Most of these Pamunkies or 'Pamunks' followed some Mormon missionaries to Utah this spring—possibly partly owing to the unfriendliness of the Catawbias It is

⁴⁸ James Mooney to Prof. W. J. McGee, 22 October 1899, Records of the Bureau of American Ethnology, Series 1, Correspondence, Letters Received 1888-1906, Box 109, National Anthropological Archives, Washington, D.C.

⁴⁹ James Mooney, *The Powhatan Confederacy, Past and Present* typescript (original notes) p. 31.

possible that a few words of Powhatan's language are still remembered at Salt Lake.⁵⁰

One of the hallmarks of the B.A.E.'s encyclopedic approach was the use of language taxonomies to map related Native cultures on the landscape.⁵¹ This explains the interest in collecting Powhatan vocabulary evidenced in the papers of Mooney and Albert Gatschet. Even as they lamented the loss of Native languages among Virginian Indians, they searched diligently for scraps of words that might survive. Albert Gatschet's notebooks include listings of Native vocabulary drawn from seventeenth-century published English accounts of Virginia, as well as a handful of "Pamunkey dialect" words collected by the Rev. Dalrymple back in 1844 (and subsequently published).⁵² In his annual report for 1892, Gatschet reported of his "office work" that "The remnants [penciled in above "remains"] of the Virginian or Powhatan language ["that are known" is penciled in above] were also made accessible by carding the terms."⁵³ Gatschet perhaps thought that if sufficient numbers of Algonquian vocabulary "remnants" could be found in enough places, some larger patterns would emerge, but he also clearly saw limits to language research among the tidewater Virginian Indians.

A sort of coda to the story of Gatschet's, and Dalrymple's efforts comes in 1940. That year, John R. Swanton at the Smithsonian Institution received a letter from Raphael Semmes of the Maryland Historical Society to the effect that the Society had acquired a manuscript that "once belonged to Edwin A. Dalrymple" of Virginia, in which the

⁵⁰ James Moone to Albert S. Gatschet, 20 September 1887, Albert S. Gatschet. Letters Received, 1880-1891, ms. 4047, National Anthropological Archives, Washington, D.C.

⁵¹ Conn, *History's Shadow*, 106-107.

⁵² Albert S. Gatschet, Pamunkey notebook, post 1893, ms. 2197, National Anthropological Archives, Washington, D.C.

⁵³ Albert S. Gatschet, annual report for 1892, ms. 4734 "Annual Reports to the Director," National Anthropological Archives, Washington, D.C.

minister “has the meaning of a number of Indian words which were in 1844 ‘collected from the Indians on the Pamunkey River, King William county, communicated by Molly Holt and Roda Arnold.’ ” Swanton passed this information on to Frank Speck, who wrote back on April 21, 1940, that except for one word, “The others are a counting-out rhyme used in a game. How funny to find this worked into an actual glossary.”⁵⁴

Though after the flurry of interest manifested by Mooney and Gatschet Smithsonian fieldwork among Powhatan groups was limited for the next several decades, Virginia Indians remained skilled at enlisting white institutions whose notice might help validate their identities in white eyes. For decades, into the 1970s and before the establishment of the National Museum of the American Indian, the organized tidewater Native groups of Virginia apparently considered the Smithsonian an important repository, a place where depositing materials would help affirm their claims to “authentic” Indianness. One example of this is that in 1943 the Chickahominy chief donated to the B.A.E. some materials that included copies of official documents such as old birth certificates demonstrating instances in which white officials had accepted Chickahominy assertions of Indian identity. This donation also included testimony mentioned above about the Indianness of the Chickahominy from the white minister, P. E. Throckmorton. In depositing these copies, Oliver Adkins said explicitly “These may be helpful in establishing proof as to our identity as American Indians, and also prove to you our social

⁵⁴ Raphael Semmes to John Swanton, 12 March 1940, and Frank Speck to John Swanton, 21 April 1940, ms. 4069, National Anthropological Archives, Washington, D.C.

separateness from the colored race.”⁵⁵ This donation occurred at a time when the induction of Virginia Indians into the segregated United States military had become a live issue. Outreach to the Smithsonian continued; in 1974, a group of Pamunkey family photos were copied for retention in the National Anthropological Archives collections.⁵⁶

Mooney’s activities in particular seem to have provided encouragement for certain groups to organize and to seek other opportunities to press for recognition of their Native American identities.⁵⁷ Nonetheless, it is hard not to see in the work of Mooney and Gatschet the tendencies Frederic Gleach identified when he said many Native people who had not retained tribal lands and “traditional” ways “were reduced to the status of ‘descendants of Indians’—granted the racial attribution but denied the culture.”⁵⁸

Mooney and Gatschet did in some ways affirm the Indianness of the Powhatan groups they studied, but they almost always did so in a way that positioned tidewater Indians as people racially “mixed” people who had lost many important aspects of “traditional” Indian cultures, such as language. Rather than seeing these Virginian Indians as communities whose culture and society were evolving historically, Mooney and Gatschet, in the end, seem to have seen them most fundamentally as compromised biologically and racially, and impoverished culturally.

⁵⁵ O. Oliver Adkins to Bureau of American Ethnology, 6 April 1943, in “Documents in support of the Indian racial status of the Chickahominy tribe... 1904-1942, ms. 112, National Anthropological Archives, Washington, D.C.

⁵⁶ “Smithsonian, Pamunkey. Cook Family Collection,” Photographic Lot 87-6 (loaned to the National Anthropological Archives by a Cook or Bradby family member and copied for the NAA collections in 1974), National Anthropological Archives, Washington, D.C.

⁵⁷ Rountree, *Pocahontas’s People*, 207-208.

⁵⁸ Frederic W. Gleach, “Anthropological Professionalization and the Virginian Indians at the Turn of the Century,” *American Anthropologist* 104 (2002): 500.

Frank Gouldsmith Speck was the next major ethnographer active among tidewater Powhatan groups on Virginia's two remaining reservations and among groups without reservations. Looking at his fieldwork and publications illuminates aspects of the Powhatan's continuing processes of construction of cultural and social identities, and the roles of twentieth-century professional anthropologists and folklorists in working with marginalized communities facing varied forms of discrimination. Speck's work also sheds light on the uses of ideas about history and heritage in narratives about race and ethnicity in the South at a time of concerted official, legal and institutional efforts to constitute race as a biologized black-white binary. As Barbara Kirshenblatt-Gimblett has argued,

While it looks old, heritage is actually something new. Heritage is a mode of cultural production in the present that has recourse to the past. Heritage thus defined depends on display to give dying economies and dead sites a second life as exhibitions of themselves.⁵⁹

Frank Speck's fieldwork and collecting in Virginia, while not exclusively geared to the kinds of theatricalized display that are the objects of Kirshenblatt-Gimblett's best known work, did offer to the Powhatan groups avenues for displaying, asserting, articulating, and re-presenting their claims to a past, a heritage, and a social and cultural identity, that was neither black nor white nor yet even "mixed." Speck encouraged organization among individual Native groups and across group lines. He collected objects from various groups for museums. Issues of presentation, representation, and the de-contextualization of public display that Kirshenblatt-Gimblett raises are relevant,

⁵⁹Barbara Kirshenblatt-Gimblett, *Destination Culture: Tourism, Museums, and Heritage* (Berkeley, Los Angeles, and London: University of California Press, 1998), 7.

though Speck's own chosen medium for his own productions and presentations was the scholarly monograph (and an occasional newspaper piece).

Speck has been criticized on grounds that he went beyond salvage ethnography to help tidewater groups fabricate "real" Indian identities. His efforts, though, must be viewed in the context of institutionalized racism in the South. Speck saw himself, in the development and presentation of his fieldwork on the "native" aspects of Virginia Indian communities, as providing aid to people who faced "administrative genocide"⁶⁰ at the hands of certain parts of Virginia's white officialdom, especially after the passage of Virginia's 1924 law "to preserve racial integrity."

The context for understanding Speck's work also includes the development of pan-Indian and inter-tribal cultural and political phenomena, of the persistence of "primitivist" notions about Indians among whites, and of anthropology and folklore as academic studies. His writings about the tidewater Virginia groups, which were not his main focus as an anthropologist and folklorist, show him sometimes using ideas about Indianness that can seem mired in a search for evidence of the survival of "aboriginal," pre-contact cultural traits and material culture. Speck's ideas about the importance of "salvage" ethnography and the "vanishing" of Indian cultural riches meant that he sometimes engaged in the pursuit of pre-1492 "survivals." At other times, though, Speck seems to be working with notions about cultures and communities as constructs with fluid boundaries, and he could advocate for cultural borrowings and new inter-tribal connections among Algonquian groups. As an anthropologist trained by Franz Boas, he

⁶⁰term used by Danielle Moretti Langholtz, "Other Names I Have Been Called: Political Resurgence Among Virginia Indians in the Twentieth Century" (Ph.D. diss., University of Oklahoma, 1998), 109.

used approaches to data collection and to understanding processes of cultural borrowing and diffusion that prevented him from focusing exclusively on “aboriginal” aspects of the communities he encountered.

Surely one of the challenges for him working in Virginia related to languages, and the loss of Algonquian language skills among Virginian tidewater Indians. Speck’s personal ethnological interests, his early training, and his graduate study with Franz Boas, all involved linguistics. His work with a wide range of Algonquian-speaking groups (of which the Powhatan peoples were among the southernmost) was one of the long-range scholarly interests for which he was best known. On his death in 1950, Speck was praised by a colleague for his choice “to concentrate on languages and cultures which were nearing extinction.”⁶¹ Setting aside for the moment the questionable use here of “extinction” with its overtones of natural disaster, it seems likely that Speck’s interest in Algonquian languages was an important source of a certain sense of authority that he brought to his research in Virginia in his relations with Powhatan peoples as well as with whites. It also could have been a source of some frustration for him, since when he met them, Powhatan groups in Virginia were English speakers.⁶²

Three areas, especially, seem fruitful places to examine these issues: Speck’s approach to issues of cultural change and folkloric tradition among these Virginia Indian groups; his approach to material culture and to collecting information and objects; and the advocacy activities in which he forthrightly lent his credibility to his informants’

⁶¹ John Witthoft, “Frank Gouldsmith Speck, 1881-1950; Ethnologist and Teacher,” *Southern Indian Studies*, v. II, no. 1 (1950): 2, 39.

⁶² *Ibid.* 42-43. Like Albert Gatschet before him, Speck also did work among the Catawba that involved efforts to preserve information about language among them.

claims (as individuals and communities) to the status of “real” Indians. Speck’s Boasian training meant that his fieldwork embraced a broad range of data related to the present-day lives of his informants (including material culture and what he labeled “folklore”). Still, his approach to cultural change and continuity often embraced the idea that a pressing task was gathering fragments of “aboriginal” culture that could and should be remembered, restored, and resurrected. To complicate matters further, Speck did see certain cultures as more “sophisticated” or “complex” than others.⁶³

Speck plunged into racialized fieldwork environments that illuminate these aspects of his approaches to cultural tradition, identity and cultural change when he began working among the Nanticoke people on the Eastern Shore in 1911, and then ventured into tidewater Virginia beginning in 1914. As we have seen, this was a time when official, legal recognition of such eastern-seaboard groups as Indians rather than “mixed-bloods,” “mulattoes” or “free colored” or “black” was contested. Even the Pamunkey and Mattaponi on Virginia’s remaining two state-recognized reservations faced official skepticism about whether they were “really” African Americans or “colored.”⁶⁴ Speck was aware of the earlier B.A.E involvement going into his own field work, and so there was some scholarly work he could see as a precedent for his efforts.⁶⁵ It was against this backdrop of Jim Crow segregation, “scientific” racism, and ethnographic inquiry that Speck arrived in tidewater Virginia for his first fieldwork. He never spent long periods of

⁶³For examples of Speck’s use of language that suggests a hierarchy of cultures or cultural traits from “simple to complex.” see his *Catawba Texts*, 1934, Reprint (New York: AMS Press, Inc., 1969), xii-xiii, and his *Chapters on the Ethnology of the Powhatan Tribes*, 229 and 451.

⁶⁴See for example, Helen Rountree, *Pocahontas’s People: The Powhatan Indians of Virginia Through Four Centuries* (Norman and London: University of Oklahoma Press, 1990), 211-212.

⁶⁵ See for example J. Walter Fewkes to Frank Speck, 14 February 1921, Records of the Bureau of American Ethnology, Series 1, Correspondence, Letters Received, 1909-1949, Box 223, National Anthropological Archives, Washington, D.C.

time there, and after the 1920s his scholarly work took him to many other places, but into the 1940s he continued to take and send students to these communities, write letters in support of Virginia Native groups, and to advocate official acceptance of their identities as Native Americans.

Speck's fieldwork among the Chesapeake-area groups, and his interests in their material culture and orally transmitted folkloric traditions, were connected to the Boasian ideas about cultural relativism and diffusion of cultural traits in which he had been trained. Those ideas gave him a platform from which he could talk about pre-contact Algonquian culture of the Powhatan groups as the result of complex pre-1492 patterns of cultural exchange among northern and southern Algonquian groups with Native American groups from the Southeast or Gulf area, as well as post-1492 cultural change and exchange. Speck looked at the complexities of pre-European-contact cultural transmissions. He wrote that in attempting to draw culture-area boundaries, scholars might find that groups could look similar because of shared material cultural traits even though they did not share a language.⁶⁶ In his fieldwork to collect folkloric and material-culture evidence among the contemporary "remnants" of the Powhatan groups, he did also explore processes of post-contact cultural change. His intent, he said, was

to deepen the existing knowledge of ethnic properties of a people early transformed from their original native estate by ruinous association with Europeans; also to place their culture group on the map of ethnological comparisons in the East--nothing more. In days to come, when living sources open for investigation are absolutely closed, the real intensive study of this area, once rich in development, will be made.⁶⁷

⁶⁶Speck, *Chapters on the Ethnology of the Powhatan Tribes*, 227-230, and Speck, "The Ethnic Position of the Southeastern Algonkian," *American Anthropologist* new series 26 (1924): 193-198.

⁶⁷Speck, *Chapters on the Ethnology of the Powhatan Tribes*, 231.

This may be read as an overtly modest Boasian statement about the primary importance and necessity of gathering ethnographic data first; the analysis and theorizing could be done later, and even by others. Still, his language here also reflects assumptions about the importance of “the original native estate,” a somehow more “pure” state of culture that preceded 1492. Speck saw that pre-contact and post-contact Native American cultures were not static, timeless, monoliths but rather sites of important, complex, and lively processes of transmission and diffusion. Nonetheless, he could not entirely break with some aspects of the prevalent belief that, when it came to “real” Native American cultures, there was a finite quantity left to be investigated, and that there would come a moment when it was all gone. Speck felt that once the last survivors who spoke the “old” language or knew “old” ways died, the remaining “acculturated” members of the community would lose a vital link to the past, and anthropologists would forever lose the opportunity to collect data about an era when “real” Indian cultures were still practiced by living informants. The popular notion of Indians as “vanishing” peoples lurks behind his idea that “living sources” would someday be “absolutely closed.”

Clearly, this concept of Indian cultures as “dying” added to Speck’s sense of urgency about field collection. It meant that in the tidewater, he saw himself as doing “salvage” ethnography, grabbing up remnants and fragments wherever he could. He saw this salvage as a service both to his profession and to the “much-diluted” tidewater communities that, seemingly, were headed for inevitable forms of cultural losses, losses that were almost like a death in the family.

In other fieldwork in the South, Speck also revealed this tendency. When studying a group in the Carolinas in his 1934 *Catawba Texts*, Speck gathered and

translated, with minimal comment, stories from a small number of Catawba informants. He collected these stories without overtly expressing concern about whether they could be labeled as pre-European-contact in origin. This may have been partly because in this case he was most interested in capturing Catawba language traditions that he saw as vanishing.⁶⁸ In contrast, his published monographs on the Powhatan groups as a whole and about the Nanticoke and Rappahannock seem more overtly focused on uncovering “survivals” traceable back to pre-European-contact life. Speck was engaged in a Boasian search to record lots of data—and he did collect information that he did not analyze only in terms of “aboriginal” culture. Still, the question of aboriginality as part of Indian cultural distinctiveness seems always there, in the background and sometimes in the foreground.

While Speck was not free of prevalent ideas about the “vanishing” Indian, or at least the vanishing of Indian cultural traits, he also articulated the contradiction between the idea of “Indian” culture as a monolith bound for extinction, and the fact of the survival of changing “Indian” communities. In the southern setting of his Chesapeake-area fieldwork, he perceived the continued existence of people claiming Indian identities as a challenge to official and social pressures for constructing race as a black-white line.

He says of the Powhatan groups in Virginia

Very little attention has been paid to them by writers, whether ethnologists, historians, or folklorists. Some indeed have even assumed to deny their existence under the implication of there being no longer pure-blood Indians among them. Elimination, however, on this ground would involve a maze of controversy, for it would mean that many existing Indian groups all over North, Central, and South America, maintaining active tribal tradition, even government, would be

⁶⁸Thomas J. Blumer, “Wild Indians and the Devil: The Contemporary Catawba Spirit World,” *American Indian Quarterly* 9 (1985): 150.

consigned to the anomaly of classification as ‘whites’ or ‘colored people.’ Nevertheless, the Powhatan descendants persist within the confines of their ancient territory despite the efforts to crush them that began in 1608, and which... have continued to menace them, though with declining force, until the present time.⁶⁹

Speck here voiced, in opposition to the notion of “blood purity,” the idea that “many” Indian groups throughout the hemisphere are “mixed” by a Jim Crow standard of “racial integrity.” In its place, he suggested a different standard: “active tribal tradition” and political organization. He also raised questions about what constitutes an ethnic group and about the nature of cultural exchange and race “mixing” in America. Speck said his purpose was to present “certain facts to those who are interested in American folk-life and Indian survivals” and that his investigation of Powhatan groups shows that “for the whole region there is need of actual exploration of their industrial, social, and folkloristic properties. It will reveal much that will elucidate the principles of race- and culture-blending among American folk-communities.”⁷⁰

Here, Speck was doing a number of things at once. He emphasized the roles of oral traditions and material culture, as well as the study of social and economic organization, as a means of investigating “blending” and “folk communities.” He also suggested that cultural exchange was a major dynamic to watch. He mentioned race in the same breath as culture, which could be read as suggestive of a conception of race as a contingent set of categories that are socially, politically, constructed rather than biologically given or driven. At the very least Speck did, here, seem attuned to Boasian approaches that emphasized the need to analyze and investigate race and ethnicity

⁶⁹Speck, *Chapters on the Ethnology of the Powhatan Tribes*, 236

⁷⁰*Ibid.*, 237.

primarily as cultural rather biologized phenomena. Still, his use of the word “survivals” may betray a longing for a simpler story in which some “remnants” remain unchanged as “pure” reflections of past times.

Like his teacher Franz Boas, Speck did not entirely discount the possibilities of studying biological traits in attempting to understand human activities and personalities. He does seem, though, to have been solidly in a Boasian mode in his understanding that culture was the more important factor, and that racial identification of individuals could be a very slippery thing indeed, not necessarily to be clarified by physical characteristics.⁷¹ His 1915 monograph on the Nanticoke, on the Eastern Shore in Delaware, devotes some attention to physical appearance. In 1915, he says that among the Nanticoke

Physically the community exhibits a great lack of racial homogeneity, the types of physiognomy, color, and hair ranging from the European, the mulatto, and the Indian through all the usual gradations....It is common to find these characteristics divided irregularly among the members of the same family.⁷²

Just as among Virginian Powhatan people, the search for “racial homogeneity” could seem fruitless and perhaps even arbitrary to Speck, but he could not discard the concept entirely. Speck recorded folkloric Nanticoke stories and traditions of black or “Moorish” ancestors, but also reported that the Nanticoke community at that time “refuses particularly to recognize marriage with negroes.”⁷³

⁷¹Peggy Pascoe, “Miscegenation Law, Court Cases, and the Ideologies of Race,” *Journal of American History* 83 (1996): 54-55.

⁷²Frank G. Speck, *The Nanticoke Community of Delaware*, 1915, Reprint (New York: AMS Press, 1981), 2.

⁷³*Ibid.*, 2.

In writing of the Rappahannock in 1925, Speck said that they had “neither indulged in nor permitted intermarriage with representatives of the other peoples surrounding them for almost a century-- drastic homogamy to compensate for earlier laxity.” Here he framed the discussion by pointing out the futility of attempting to prove “pure Indian blood” over the “potential two thousand ancestors that each would have had in the eleven generations elapsed since their first contact with the races of the Old World.” Nonetheless, Speck’s use of the word “laxity” seems revealing, for historic traditions of openness among some Indian communities to new members may be seen as productive rather than “lax.” Speck noted variability in physical appearance among the Rappahannock, but in the end stressed that the overall impression is of “the predominance of Indian blood.” This may be read as a kind of affirmation of the importance of physical appearance in identifying Indianness. It may also reflect a desire on Speck’s part to reassure white readers about his authoritative judgment that despite somatic variations, the overall community was “really” Indian. As might be expected, Speck’s monographs on the Rappahannocks, other Powhatan groups, and Nanticokes are well larded with portrait photographs of individuals designed to demonstrate visually his point about “predominance of Indian blood.” At the same time, Speck could try to de-emphasize the importance of physical appearance, saying that “These racial considerations are entirely aside from the determination of their social tradition.”⁷⁴

In writing about his fieldwork in Virginia, Speck seemed to shy away from in-depth examination of, or speculation about, the mutual influences of African and Native

⁷⁴Frank G. Speck, *The Rappahannock Indians of Virginia*, Indian Notes and Monographs, vol. 5, no. 3 (New York: Museum of the American Indian, Heye Foundation, 1925), viii.

American groups. While he seemed comfortable talking about diffusion of cultural traits from one Native American group to another, he devoted less attention to the question of cultural sharing and borrowings among African Americans and Native Americans. In an article about the “Southeastern Algonquian” he did briefly say that

Even though a fairly large body of folk-lore and superstition remains among the Indian descendants, there is nothing ethnically distinctive about it. Animal tales and some personal narratives of European and negro extraction, locally adapted to the condition of recent Indian life in the region, are all that we now have to represent the oral tradition of this area.⁷⁵

Thus, Speck sounded disappointed not to have found more distinctively “Indian” material in the area he calls “folk-lore and superstition,” or “oral tradition.”

Speck’s reticence in this area perhaps had two sources, one political and the other more personal. He knew that talking of connections with African Americans was politically risky for tidewater Natives who faced explicit threats to their cultural identities as Indians by whites who saw them as “mulattoes” or “mixed” people who had forfeited their Indianness through unions with blacks.⁷⁶ Perhaps he was reluctant to explore African-American cultural influences because he felt an obligation not to cloud the ongoing efforts of Indian communities who were fighting to establish and maintain their claims to Indianness in the face of official repression. Speck’s lack of interest in African-American histories and cultures probably also stems from a feeling that his proper realm of expertise was the study of Indian cultures.

⁷⁵Frank G. Speck, “The Ethnic Position of the Southeastern Algonkian,” *American Anthropologist* new series 26 (1924): 194.

⁷⁶See, for example, the transcription of “A Petition from Citizens of King William County, Virginia” in James Mooney’s papers (MS petitions, King William County, B 1207), 20 January 1843, file 3695, National Anthropological Archives, Washington, D.C.

Since at least the 1960s, a criticism of Frank Speck has been that his “romantic enthusiasm for discovering traditional continuities ... ran afoul of the dictates of ‘holism’ and Boasian contextualism.”⁷⁷ Perhaps, though, the story of Frank Speck’s fieldwork and his search for the “aboriginal” also owes much to diffusionist perspectives that could exist in creative tension with synchronic approaches to the study of cultures at single moments in time. Speck saw Algonquian and other southeastern Native American groups as having a lengthy shared history of transmitting cultural traits up and down the Eastern seaboard. Even with his devotion to the “aboriginal” among “traditional continuities” Speck could also see ongoing processes of cultural change and exchange as important subjects for anthropological inquiry, and did not view Native American cultures as static. Perhaps this was part of why he saw as legitimate a role he might play in sharing with Powhatan people information about other Algonquian groups.

This may also shed light on his roles in efforts that have been criticized as fabricated “inventions” of new traditions for Powhatan groups. Take, for an example, Speck’s activities described in some field notes taken by his student Robert Sollenberger in 1940 among the Rappahannock. Sollenberger reported that Speck’s Rappahannock informants retained the memory of a dance

acquired from contact with the Nanticoke band (Ind. River, Del.) during Thanksgiving reunions of Powhatan Confed. groups annually through 1925-1935... Dance introduced about 1922 to Nant. by Gabe Paul (Penob.) [presumably Penobscot] and FGS.⁷⁸

⁷⁷George L. Hicks, “Cultural Persistence Versus Local Adaptation: Frank G. Speck’s Catawba Indians,” *Ethnohistory* 12 (1965): 351.

⁷⁸Frank G. Speck Papers, Freeman Guide #3027 [170 (20:4F3b)], Rappahannock Field Notes of Robert Sollenberger, 1940, American Philosophical Society, Philadelphia, Pennsylvania.

A recent scholar has confirmed that “Speck, greatly impressed with the intense interest which the Nanticoke exhibited towards their Indian heritage, taught his friends a number of Indian dances and songs.” Speck’s friend C. A. Weslager said Speck did not pretend that the results were “direct survivals” from Nanticoke forbears but wanted to assist the community’s self-conscious revival and presentation of its Indianness.⁷⁹

In writing for scholarly audiences, Speck did differentiate between “revivals” and “survivals,” and subscribed to the idea of unbroken “tradition” as a valuable and important object for anthropological study. Sometimes, his writings avoided talking about his own role in revivals such as teaching dances. Of the Rappahannock he wrote

Some folk-dances are performed by the people, but they are hardly to be considered as direct or continuous derivations from the past. Being revivals rather than survivals, as interesting as they are, their description may be left to a more popular narrative of Virginia Indian folk-ways.⁸⁰

Thus, Speck could not completely break with the notion that “real,” authentic, true “Indian” culture was most importantly based upon unbroken transmission of customs—and it seems that for Speck this included an intense interest in practices seemingly connected to the pre-European-contact era. At the same time, Speck himself promoted what might be called “pan-Indian” or at least “inter-tribal” approaches to re-building Indian identities in the tidewater communities he studied. Speck’s attempt to find a way out of the trap of proving continuous tradition, for Native Americans in need of tools for establishing their Indianness to the larger society, was to talk about revivals and restoration, while he looked hard for links to an “aboriginal” past.

⁷⁹Frank W. Porter, III, “Anthropologists at Work: A Case Study of the Nanticoke Indian Community,” *American Indian Quarterly* 4 (1978): 6-7.

⁸⁰Speck, *Rappahannock Indians of Virginia*, 81.

Speck seems to have had great confidence in his own knowledge of, and approach to, Native American cultural traditions, based on his fieldwork among many different groups, from Labrador to Oklahoma. A case in point is a story told by the anthropologist William N. Fenton, who saw Speck as a friend and mentor. Speck and Fenton were doing fieldwork with Iroquoian groups in 1945, when Speck bought a pair of raccoons at a local market, brought the animals back to be cooked by the “Mohawk ladies” where he and Fenton were staying, and asked them to save the animals’ paws. Speck wanted to find out whether his Iroquoian hosts knew of a “game and method of divination practiced among Northern Algonquian hunters” that involved raccoon paws. It turned out that at least one of the local Iroquois knew of the practice, but to Fenton, as they played “It was soon apparent that Speck was the one who knew the rules of the game.”⁸¹ Fenton suggests this was an investigation that led nowhere, but it is also possible to read it as an example of Speck’s great confidence in taking on the role of cultural teacher or broker, transmitting knowledge across social and cultural boundaries and sometimes even assuming the position of being more knowledgeable than his Indian contacts and informants.

Given his extensive studies among varied Indian groups, Speck may have seen himself as a legitimate agent of the diffusion of cultural information, as well as viewing his actions as responding to felt needs within the communities he studied. If this is the case, the more “romantic” aspects of his approaches to Native American traditions may not have seemed to him at odds with scholarly approaches to the study of cultural change and exchange. Speck believed anthropologists could help informants somehow recall,

⁸¹William N. Fenton, “Frank G. Speck’s Anthropology (1881-1950): Mentor, Colleague, Friend” in *The Life and Times of Frank G. Speck*, University of Pennsylvania Publications in Anthropology, No. 4, edited by Roy Blankenship (Philadelphia: University of Pennsylvania, 1991), pp.12-13.

retrieve, and revive older customs and memories that he saw as on the verge of extinction. He also recognized that the contexts of those memories and that knowledge had radically changed.⁸²

Like his attitudes toward cultural change and folkloric tradition, Speck's approach to collecting and material culture among the Powhatan groups seems (compared to his Catawba work, for example) often but not exclusively focused on concerns about gathering evidence of pre-contact aboriginal tradition. He was looking for a broad range of lore-- stories, information about hunting, fishing, farming, and cooking-- and material culture that were "locally distinctive." Here, we will look in some detail at few monographs, by Speck and by one of his students, as examples of these concerns about material culture studies that document the "aboriginal" and also a more historicized, yet distinctive, Indianness. Despite those concerns, Speck's field notes do not always question whether the customs and knowledge he is gathering are current among neighboring non-Indian rural people.⁸³

In writing about his fieldwork in the Chesapeake region, Speck especially focused on hunting and fishing paraphernalia. In this area he seemed to be working from the perception that some of the traditional knowledge and objects connected with hunting and fishing showed connections with pre-contact practices. This fit with Speck's general

⁸²He could, for example, envision Native influences on European-Americans, as suggested by a note he made in the 1921 report of the Virginia Folk-Lore Society. On a list of old ballads that the Society's members had collected in various counties of Virginia, Speck wrote "Is this the Rapp. [Rappahannock] origin story?" Frank G. Speck Papers, Freeman Guide #3036 [170 (20:4F1d)], Miscellaneous notes: Virginia Indians [1939-1947], American Philosophical Society, Philadelphia, Pennsylvania.

⁸³Some exceptions are in his monograph on *The Nanticoke Community of Delaware*, p. 38, and in *The Rappahannock Indians of Virginia*, p. 69.

scholarly interest in hunting and its relationships to social divisions and uses of land. As one eulogy put it,

In his studies of northern North American hunting territorialism, he made one of his greatest contributions to American ethnology [sic]. Here he investigated the correlations between a peculiar type of land tenure, a specific type of economy, and a quite distinctive form of social organization. Interrelationships between these different aspects of one culture pattern were too strong for explanation by any thesis but causative connection. This was a test case for Boas' didactic rejection of the concept of cultural evolution.⁸⁴

(In fact, later anthropologists would question the terms of the early anthropologists' debate about hunting territories as "property" among the northern Algonquian peoples.⁸⁵)

For our purposes here, the point is that Speck brought this interest of hunting to his work among Virginia's Powhatan groups, seeking to find information about systems and practices as well as material culture that could be regarded as distinctively "Indian" if not derived from "prehistoric" tradition. In what was probably his last word on this subject, an article published in 1950, Speck connected his work on "communal game drives" to larger patterns of hunting among Native peoples of the Southeast. He did not seem very curious about whether the practices he describes among Virginia's Powhatan people were shared by their black and/or white neighbors. In their field work, some of it from 1938-1940, Speck and he and his collaborator looked at the "persistence of the deer drive into modern times" among the Pamunkey as an opportunity for the "recovery" of information while acknowledging historical change in aspects of the deer hunt. Speck talked of Pamunkey deer hunting as a set of practices rooted "in the early reservation as

⁸⁴ John Witthoft, "Frank Gouldsmith Speck, 1881-1950; Ethnologist and Teacher," *Southern Indian Studies*, v. II, no. 1 (1950): 41.

⁸⁵ See Harvey A. Feit, "The Construction of Algonquian Hunting Territories: Private Property as Moral Lesson, Policy Advocacy, and Ethnographic Error," in George W. Stocking, Jr., ed. *Colonial Situations: Essays on the Contextualization of Ethnographic Knowledge*. History of Anthropology series, vol. 7. (Madison, Wisconsin: the University of Wisconsin Press, 1991), 109-111.

well as in the aboriginal periods,” and was on the lookout for the use of the occasional “survival of the old Algonkian term.” He concluded that some aspects of the hunt “Presumably... are aboriginal customs persisting relatively unchanged in their essential features into modern times.” At the same time, Speck and his collaborator tied the communal Pamunkey deer hunt to a narrative of annual “tribute” to Virginia’s governor stretching back to 1677, and called it “... one of the outstanding events in the social cycle of the Pamunkey Reservation,” with community formalities attached.⁸⁶

To underscore the deer hunt’s community-building aspects, and probably also its “Indian” qualities, Speck said that “The communal deer drive takes precedence over individual forms of hunting among the Pamunkey,” and emphasized aspects of the drive that seemed to reflect concerns about fairness in sharing the fruits of this “cooperative endeavor” within the community. He added, seemingly to connect his story with some general arguments among anthropologists of the day but also in a nod to historical change, that among the Pamunkey

The theoretical conflict between individual and communal prerogatives represents, most likely, a late historic condition. It dates back, presumably, only to the 17th century when the Pamunkey abandoned their communal hunting grounds in the Piedmont....⁸⁷

Speck also reported that Paul Miles, a former Pamunkey chief, created a set of panels with pictures to represent the communal deer drive, panels that went to the collections of the Denver Art Museum. Speck explicitly said this work had “no known

⁸⁶ Frank G. Speck and Claude E. Schaeffer, “The Deer and the Rabbit Hunting Drive in Virginia and the Southeast,” *Southern Indian Studies*, v. II, no. 1 (1950): 19-20, 3-4, 7, 8-9, 10-11, 14.

⁸⁷ *Ibid.*, 9-10.

connection with any continuous tradition of pictography within the group,” and he called Miles’ work “fanciful.” He compared it to designs on present-day Pamunkey pottery “made for the tourist trade” and adorned with “pictographic designs” some of which were “derived from printed sources.” Still, Speck could not resist calling the Miles panels a “product of ethnic intuition of the individual who made it” and “one of the unformulated traits functioning in the recent culture of the reservation.” Did Miles’ creative act in making these hunting images come about partly because he thought such a “pictographic narrative” would be regarded as a typically “Indian” form of expression and art? Did Miles question or accept Speck’s seeming reluctance to consider his “hunting score” as an act of invention and art, rather than as a “‘sub-cultural’ production?” As one would expect, Miles was listed in the 1930 census as literate, but Speck conjectured that Miles’ idea might have sprung either from “some obliterated memory” or from “a response more appealing to his tradition as an Indian than to record it in faulty English.” Given that English was presumably Miles’ language from birth, it is unclear why Speck thought his English “faulty.” Speck did link the panels to the perpetual Pamunkey struggle to promote their Powhatan identity. In the end, Speck calls these panels “a historically-mysterious and etiologically-unexplained functioning attribute” of the hunting topic that was Speck’s primary subject.⁸⁸

In bringing graduate students to tidewater Virginia between 1940 and 1943, Speck’s attention was also captured by “the rabbit hunt with throwing clubs” among the Rappahannock, which he links to other groups of the Southeast. Speck outlined the organization and conduct of communal hunts for rabbits among the Rappahannock

⁸⁸ *Ibid.*, 10-14.

people, as described to him by an informant from memories of the 1890s. While Speck acknowledged that some of the hunters carried guns, he seemed particularly interested in those who hunted with clubs. In keeping with his interests in details of material, and hunting, culture, he devoted some space to a description of the “Rappahannock throwing club,” presumably because he thought it gave the whole hunt a more “Indian” pedigree.⁸⁹

Speck mentioned here, in passing, that a pottery school began on the Pamunkey reservation in 1932, while Paul Miles was chief. He described its purposes not as strictly revivalistic or novel but thus: “to preserve and develop tribal crafts.” According to Speck, “...pottery has never ceased as a craft in the industrial history of the Pamunkey.”⁹⁰

Theodore Stern, one of Speck’s students, carried on Speck’s interests in Powhatan groups and their material culture, and published a monograph on Pamunkey pottery that showed Speck’s influence in several ways. Stern initially framed his work on the pottery around the question of what was “purely aboriginal” and what was not. He also took pains, as Speck might have done, to position his subject as something distinctively “Indian” even in discussing details that were probably not purely pre-European-contact cultural traits. Stern began by saying that pottery was among the Pamunkey’s areas of cultural preservation. “Within the fabric of their culture, the Pamunkey retain several craft techniques fundamentally unaffected by outside methods. One such craft, the subject of this paper, is pottery making.” Stern went on immediately to say, though, that there were two reasons for being interested in this topic. One was that it was still possible to gather (salvage) information on “traditional methods of pottery making” and

⁸⁹ *Ibid.*, 3, 14-17.

⁹⁰ *Ibid.*, 11.

the other was that the pottery also was “illustrative of some of the acculturational forces now at work.” Stern’s story was that around 1920, pottery making “was newly renascent,” and that previously it had “declined to the threshold of extinction.” Despite his suggestion that Pamunkey pottery remained “fundamentally unaffected by outside methods,” Stern made it clear that he would be looking at change over time, and that his study would be shaped by what he described as a distinction, made by the Pamunkey, between “the ‘old-type’ or traditional, and the ‘new’ method, which is taught in the State-sponsored pottery school....” Stern himself saw these two methods as initially linked, not as completely separate techniques (at least when the school-based program first started in 1932), but said he was “following the native classification.” Stern’s deeper interest was in the “old-type” pottery making. Writing in 1950, he made deprecatory comments about some of the recent innovations in the contemporary tourism-oriented wares, some of which used generically “Indian” designs. Still, he expressed his acknowledgement of this art and craft as historical and “traditional” rather than timeless in this way:

The ‘old-type’ technique, which is the subject of the first part of this paper, is by no means purely aboriginal. It is rather the method followed as far back as the traditional memory of informants will go. Roughly, it may be considered as having been stable in practice from about the end of the eighteenth century to recent times.⁹¹

In this way, Stern blended Speck’s (and also Otis Mason’s) conception of the continuity of pottery-making among the Pamunkey with recognition of how it had changed over time. Stern recounted that the pottery was affected by adoption of

⁹¹ Theodore Stern, “Pamunkey Pottery Making,” *Southern Indian Studies*, v. III (1950): introduction (no page number), 17, 31, 61, 62-63, 67.

European forms beginning in the seventeenth century, that the Pamunkey then engaged in a significant pattern of trade and sales to non-Indians, and that a decline in this trade after the Civil War was followed by a revival of sorts dating around 1920, a revival spurred by Mooney's and Speck's interests, and then by the hard times of the Depression, but "started by the Indians themselves." Trade in pottery had historically been a significant economic pattern for the Pamunkey, and in the period of the 1920s "revival" Stern described the Pamunkey production as "primarily for the tourist trade."⁹²

Stern noted white influences on the Pamunkey pottery forms, but was dismissive of the possibility of African-American influences, saying

The putative influence of the Negro upon the crafts of their Indian neighbors is difficult to assess today.... It seems implausible that the free Negro might have been a source of Africanisms in pottery making... Finally, the Indian, traditionally at least, has chosen to remain aloof from Negro contact....

Somewhat surprisingly, in light of the direction of his argument here, Stern referred to the infamous 1843 King William County petition and counter petition about the racial status of the remaining reservation people and their lands as "evidence" of contact between Pamunkey and African-American people. Here Stern seemed to ignore the political contexts for evaluating the meanings of that 1843 petition, but in a later monograph on the Chickahominy he acknowledged the "self-interest" of the whites in the eighteenth and nineteenth centuries who sought official action against reservation communities on the grounds of their having "mixed" with African Americans.⁹³

⁹² *Ibid.*, 48-49, 56-59, 67-69.

⁹³ *Ibid.*, 48-49. Theodore Stern, "Chickahominy: The Changing Culture of a Virginia Indian Community," *Proceedings of the American Philosophical Society* 96 (1952) : 191.

Stern took pains to place the pottery in the context of what might be seen as stereotypically “Indian” aspects of Pamunkey life, beginning his essay by emphasizing that the legal basis for the Pamunkey reservation dated back to 1677, and saying that the Pamunkey had “their own laws” and that fishing and hunting were important to them while “agriculture trails.” He also placed the use of reservation clay deposits used for pottery in the context of tribal ownership of the reservation lands. As one informant told Stern, the site of the clay deposit used by the whole tribe at that time was communally owned; “... as a natural resource it is public.”⁹⁴

Such factors would have reassured white readers that the Pamunkey were “real” Indians by connecting them to conventional understandings and assumptions about “traditional” Native cultures. Stern was clear that better-known southeastern and southwestern Native pottery-making techniques were a proper frame of reference for talking about present-day “old-type” Pamunkey methods and their pre-contact antecedents. His essay also included a reference to Paul Miles as having “gained much from the inspection of the surface sherds which occur over the reservation.” Stern said he was convinced, “after close observation of informants, that [archeological] sherds have acted as a powerful stimulus, primarily with respect to remembered modes of decoration.” This affirms the antiquity of pottery-making on the reservation, and the possibility of reviving cultural memories, while also suggesting a lapse in generation-to-generation transmission of pottery techniques that would make such a revivalistic scrutiny of artifacts useful. Writing about one facet of the processes of preparing the clay and its temper, Stern described Paul Miles, in ways that seem to echo yet expand Speck’s

⁹⁴ Theodore Stern, “Pamunkey Pottery Making,” introduction (no page number), 2.

commentary on that ex-chief, as “an innovator within the limits of his conservatism...”⁹⁵

Here again, the strait-jacket of looking for the “aboriginal” seems hard for Stern (like Speck) to avoid, though he does distinguish between, and value, both the “traditional” and the “aboriginal.” In the end, he affirms that present-day field work could not reconstruct “in detail the aboriginal pottery-making complex: only insofar as indigenous elements have passed into the traditional methods of manufacture known locally as ‘the old way’ do they survive today.”⁹⁶

Another area that interested Speck, presumably as evidence of survivals from pre-Columbian times and to tap into common ideas about Indianness, was the use by Pamunkey people of animal parts in aestheticized clothing and personal ornament. Here Speck’s notes were more overtly “theorizing” than those about some of his other collecting activities. He conjectured that the “dignified adaptation” of fur, feathers, and other parts of animals within “full dress costume” was a “reflection, as we see it, of an older concept of rapport between the people and animals.” Speck admitted, though, that his inquiries in the community elicited no explicit responses to support this conclusion.⁹⁷

Speck also ruminated about his observation that nineteen clocks on the Pamunkey reservation showed the “wrong” time. This led him to a meditation about the sense of time, and rounds of daily and seasonal activity, on the reservation:

Observations determined by the movements and habits of animals seem to be a marking point for time; inevitable in a people whose food habits are so dependent upon the successive runs of shad, of alewives, of catfish or perch”

⁹⁵ *Ibid.*, 10, 16, 38, 5.

⁹⁶ *Ibid.*, 31.

⁹⁷ Frank G. Speck Papers, Freeman Guide #3045 [170 (21:4F2b)], Pamunkey Hunting and Fishing [1938-39-1945], American Philosophical Society, Philadelphia, Pennsylvania.

This he said in spite of his recognition that school and labor off the reservation were present-day facts for the Pamunkey, and without much consideration about whether other rural people in the area handled clocks similarly.⁹⁸

Speck placed emphasis not only on gathering folkloric oral traditions and information about social and political organization, but also on collecting objects. He collected materials intended for museum collections, and he also paid attention to available archeological evidence. He saw archeology as one of the keys to understanding cultural boundaries and the spread of cultural traits.⁹⁹ Like the Boasian he was, his notes show him speculating about the transmission of cultural traits around the hemisphere-- and using material culture like the use of gourds as evidence.¹⁰⁰ Speck also was engaged in the representation of such evidence, for he was involved in developing material intended to help the Pamunkey with a “Historical Museum Project” display.¹⁰¹

In some ways, Frank Speck’s collecting activities, as well as his notes about Pamunkey clothing and sense of time, seem to fit within James Clifford’s suggestion that

With Franz Boas and the emergence of relativist anthropology, an emphasis on placing objects in specific lived contexts was consolidated. The “cultures” thus represented could either be arranged in a modified evolutionary series or dispersed in synchronous “ethnographic presents.”...Both collector and salvage ethnographer could claim to be the last to rescue “the real thing.” Authenticity, as we shall see, is produced by removing objects and customs from their current historical situation-- a present-becoming-future.¹⁰²

⁹⁸Frank G. Speck Papers, Freeman Guide #3047 [170 (21:4F2k)], Pamunkey Mensuration, American Philosophical Society, Philadelphia, Pennsylvania.

⁹⁹Frank G. Speck Papers, Freeman Guide #3036 [170 (20:4F1d)], Miscellaneous notes: Virginia Indians [1939-1947], American Philosophical Society, Philadelphia, Pennsylvania.

¹⁰⁰*Ibid.*

¹⁰¹Frank G. Speck Papers, Freeman Guide #3050 [170 (20:4F2r)], W. S. Bradby to Speck, 19 November 1940, American Philosophical Society, Philadelphia, Pennsylvania.

¹⁰²James Clifford, *The Predicament of Culture: Twentieth-Century Ethnography, Literature, and Art* (Cambridge, Mass., and London: Harvard University Press, 1988), 228.

This notion of “a present-becoming-future” has some use for attempting to understand Speck’s approaches to the process of ethnographic collecting, even though, especially early in his career, Speck did comb seventeenth- and eighteenth-century printed sources for documentation of the pasts of the tidewater groups he was studying.

Speck’s search for “aboriginal” cultural fragments that possibly could be used to show an unbroken chain reaching back before 1492 seemed to lead him to the sense that because the “authentic” was passing away among at least some Algonquian groups, there was a need not only for recording what was vanishing, but also for re-invention, re-creation, and re-presentation. To return to an appreciation of Speck published after his death, he was praised for his choice to

concentrate on languages and cultures that were nearing extinction, where the most grueling work and the most cautious technique were necessary to make even small extensions of knowledge. Here the ethnologist was faced with his last opportunity to observe, record, and interpret a distinct and unique culture complex. ... Speck was one of the first to see the importance of intensifying research in sectors where data were being lost most rapidly. In most cases he was none too soon and his vast experience with the study of dying Indian cultures gave him an unusual knowledge of one phase of the development of American culture—the transition of the frontier community and the Indian remnant group into the modern American folk community.¹⁰³

Speck’s work, then could be seen as participating in the recording of “true” Indian culture “complexes” that were “nearing extinction” and “dying,” even by professional anthropologists who presumably also understood the notion of cultures as evolving and in transition. Speck’s eulogist here placed Native peoples in the context of historical process, as well as in an ethnographic “present-becoming-future,” but the emphasis on vanishing data was clear. The suggestion was that Indians would or could simply vanish

¹⁰³ John Witthoft, “Frank Gouldsmith Speck, 1881-1950; Ethnologist and Teacher,” *Southern Indian Studies*, v. II, no. 1 (1950): 39-40.

“into the modern American folk community” leaving behind the “real” Indian life and culture in fragments to be gathered into the hands of ethnographers.

Since Speck himself apparently felt that in some sense important aspects of “real” Native American cultural traditions were “dying,” it is understandable that he would use words like “revival” to talk about cultural responses to outside pressures by these tidewater communities. This thinking played out quite literally, in his collecting, when he encouraged informants to produce replicas of objects that they no longer made for their own use. Here the line between a cultural revival and a survival could seem a fine one. One example of Speck’s role in encouraging the resurrection of cultural “survivals” is his evident excitement at finding a Pamunkey woman who recalled, from her mother’s time, techniques for weaving feathers into textiles. Some of the older local women undertook to make some featherwork objects for him. Although he called the results “poor but tangible evidences of the old art’s provenience and partial character,” they inspired him enthusiastically to link these objects to traditional uses of feathers among Native American groups not only in North America but also in Central and South America.¹⁰⁴ In this way, diffusionist thinking could be tied to the search for the aboriginal.

Frank Speck’s monographs in some ways are presentations and re-presentations that fit Barbara Kirshenblatt-Gimblett’s definition of “heritage.” At the same time, his work provided the communities and individuals he studied something more than just ways of becoming “exhibitions of themselves.” Because his work as an outsider and intermediary could be used to help give their Indianness, in the eyes of outsiders, the

¹⁰⁴Speck, *Chapters on the Ethnography of the Powhatan Tribes of Virginia*, 435, 433, 450.

credibility of anthropology, it also helped them to affirm, if not re-invent, Indian identities in ways that worked for tidewater Natives' immediate political, social and cultural purposes.

Speck was certainly aware of the political uses of his work, and used his status as a scholar at times when political advocacy was needed by tidewater Natives. Speck's monographs include language that credited the Powhatan groups he studied with strategic agency and adaptability in staging their "revivals." As he wrote,

The community groups have within the last decade awakened to a self-consciousness that is stimulated by the realization of prosperity acquired through labor and thrift....Contact with other Indian bands, and education both at home and outside the state, have created the revival movement.¹⁰⁵

It is easy to read the tone here as designed to reassure readers that the tidewater communities subscribed to middle-class values which they shared with American whites. It is also easy to criticize Speck's occasional assumptions of over-arching authority, as when he presumes to name one of the Powhatan groups. He said, for example, "For this reason, I have chosen, after consultation with Mooney and Chief Cook [of the Pamunkey], to refer to them henceforth as the Upper Mattaponi band."¹⁰⁶ In other places, though, Speck was more respectful of political efforts by the various Powhatan groups.

Speck's language sometimes suggested that he saw his role as providing assistance to facilitate movement in directions that Native groups had already chosen to pursue—even as he also saw himself as speaking authoritatively about what was "authentically" Algonquian and in some ways playing the conjuror and organizer.

Anthony F. C. Wallace, one of Speck's students at the University of Pennsylvania, has

¹⁰⁵Speck, *Rappahannock Indians of Virginia*, viii-ix.

¹⁰⁶Speck, *Chapters on the Ethnology of the Powhatan Tribes of Virginia*, 265.

written about visiting the Nanticoke with Speck in the late 1940s. Wallace said that the Nanticoke had already a community organization that

was exerting political pressure, with some success, to improve things educationally, and Speck gave direct aid and comfort to this effort. The field work itself also contributed indirectly to the goal of re-creating an Indian ethnic identity, by recapturing information about aboriginal culture from the observation of contemporary practice, much of it more recognizably Indian to Speck than to the Nanticoke themselves. With his encyclopedic knowledge of eastern Algonquian cultures, Speck could ask questions about beliefs and behavior that were suggested by his familiarity with Abenaki, Delaware, Penobscot, Pamunkey, and Montagnais-Naskapi hunting, trapping, and fishing practices.¹⁰⁷

(Wallace's comments here raise again questions about the validity of assuming that contemporary practices were also characteristic of the past, as an anthropological and historical technique, and about distinctions Speck intended to make between survivals and revivals.) Speck may have played a fairly influential role in an earlier incorporation effort among the Nanticoke of Delaware, in the 1920s. As one scholar sees it, though, the earlier effort began when a Nanticoke leader discussed with Speck ways to "preserve the racial integrity of the community." Afterwards, Speck acted as "spokesman and counselor; after representatives from the community agreed to the formation of an independent organization Speck turned the matter over to the newly elected officials."¹⁰⁸

Speck's papers include correspondence that shows that Paul Miles, the Pamunkey leader, felt Speck could be quite influential in developing a consensus among the Upper Mattaponi (Adamstown) group for some form of legal organization, but it is clear that

¹⁰⁷Anthony F.C. Wallace, "A Field Trip to Indian River with Frank G. Speck," in *The Life and Times of Frank G. Speck*, University of Pennsylvania Publications in Anthropology, No. 4, edited by Roy Blankenship (Philadelphia: University of Pennsylvania, 1991), p. 86.

¹⁰⁸Frank W. Porter, III, "Anthropologists at Work: a Case Study of the Nanticoke Indian Community," *American Indian Quarterly* 4 (1978): 7.

Miles himself was at work on this issue, too.¹⁰⁹ Speck was clearly regarded as an important figure by some members of the tidewater Virginia groups. Nonetheless, it seems to overstate his role, compared to that of the communities themselves, to say, as Helen Rountree does, that Speck “gave the as yet unorganized groups needed symbols of identity, namely tribal names and tribal organizations.”¹¹⁰ The work of Mooney and Gatschet, after all, shows that even some unorganized tidewater Powhatan groups were identifiable to previous generations of whites, including ethnographers, and that the work of naming and formal organization was ongoing.

Speck did not limit himself to fieldwork, publishing, and initial organizing when it came to thinking about advocacy and the political situation of the tidewater groups. For example, in 1940, when much of his fieldwork in Virginia was behind him and he was eminent mostly for his work in other areas (he was about fifty-nine years old at time), Speck was on the program for the annual meeting of the Virginia Conference of Social Work, to talk about “The Ethnology of Virginia Indians” in a session on “Race and Cultural Relations.” That session was listed directly above one led by John Powell, one of the chief advocates of Virginia’s 1924 Racial Integrity Act, whom the Powhatan Virginians had found so adversarial in the course of that law’s passage.¹¹¹

Over years, Speck corresponded with educators and lawyers in his efforts to support tidewater Indians working to establish their cultural identities and social needs with Virginia officials. In 1939 he was exchanging letters with the State Supervisor of

¹⁰⁹Frank G. Speck Papers, Freeman Guide #3040 [170 (21:4F2s)], Paul Miles to Speck, 27 November 1921 and Paul Miles to Speck, 10(?) December 1921, American Philosophical Society, Philadelphia, Pennsylvania.

¹¹⁰Rountree, *Pocahontas’s People*, 216-217.

¹¹¹ Frank G. Speck Papers, Freeman Guide #3036 [170 (20:4F1d)], Miscellaneous notes: Virginia Indians [1939-1947], American Philosophical Society, Philadelphia, Pennsylvania.

Trade and Industrial Education about the idea that an “Indian” should be involved in efforts on the Pamunkey reservation to teach “Indian arts and crafts.”¹¹² E. P. Bradby knew that Speck would be interested in hearing not only about Indian hunting practices, but also about legislative activity in Richmond that might affect the legal, official recognition of Virginian Indians in the long fight in the aftermath of the 1924 “racial integrity” act.”¹¹³

Later, when some members of the tidewater groups resisted being categorized as African Americans for draft purposes during World War II, Speck wrote to John Collier, head of the Bureau of Indian Affairs, and others, on behalf of Native draftees. His papers show that he sought advice from a Virginia lawyer in support of one such man, Oliver Fortune, who had been imprisoned because of this issue.¹¹⁴ Speck also reached out to the Bureau of American Ethnology at this time (as noted, he was aware of the B.A.E.’s history of work among Powhatan groups). Presumably referring to the selective service issue, Speck sent Matthew W. Stirling, then head of the B.A.E, correspondence in 1943 that arrived at the Smithsonian through J. Oliver Adkins, the Chickahominy chief. Probably to emphasize his personal commitment, Speck included a handwritten note to Stirling that said

Here is an official statement from me. You will understand the situation. I am only too glad to stand by the Inds. of Virginia in their time of need. It is now or

¹¹²Frank G. Speck Papers, Freeman Guide #3040 [170 (21:4F2s)], B. H. Van Oot to Speck, 14 December 1939, American Philosophical Society, Philadelphia, Pennsylvania.

¹¹³ Frank G. Speck Papers, Freeman Guide #3045 [170 (20:4F2b)], E. P. Bradby to Speck, 2 June 1945, American Philosophical Society, Philadelphia, Pennsylvania.

¹¹⁴Paul T. Murray, “Who is an Indian? Who is a Negro?: Virginia Indians in the World War II Draft,” *The Virginia Magazine of History and Biography* 95(1987): 225-226; Frank G. Speck Papers, Freeman Guide #3021 [170 (20:4F1i)], Charles Edgar Gilliam to Speck, 24 July 1943 and 17 August 1943, American Philosophical Society, Philadelphia, Pennsylvania.

never in the long history of political persecution. Some one has to defend their name and status.”¹¹⁵

In a more formal hand-written letter to Stirling, Speck said he would not go into “details of an argument over the matter with those who are arbitrarily trying to deprive the Indians of Virginia of their rights to classification as such...” but that he wanted to re-state his position:

It is to the effect that the people, some thousand or fifteen hundred in number, of Indian blood in Virginia are in my estimation sufficiently justified historically, ethnologically and ‘racially’ to be classed as Indians and to enjoy the privileges and distinction they deserve as a separate element in the population of the state.

I base my assertion upon almost twenty five years contact with the various ethnic groups in the intimate relation of a field ethnologist with the people who are the subject of research. My statement applies to all the ‘tribes’ or bands of the Tidewater Districts of Virginia. The publications which I have brought out establish the grounds upon which I found my statement. Were the same bands to reside in any of the northern, central or western states there would be little to distinguish them from tribal groups in those states. The questions of their historical identity, the ethnic tradition and the social separateness are satisfactorily answered in the mind of anyone who knows these sources.

In short, I regard the effort being made at this time, perhaps more drastically than heretofore, to demote [sp?] them to the status of ‘colored’ people—whence ergo negroes, to be unjust, unnecessary, and deplorable. It is more than that in my judgement; it is vicious, smacking of ‘racial agitation’ and suppression of the liberties of self-determination of Americans; little short of Hitleresque!

I believe that there are enough friends at large in sympathy with Indian ideals and aspirations to make the fanatical prejudices of Dr. W. A. Plecker of Richmond and his supporters look not only ridiculous but socially nefarious, if they were made aware of the means resorted to in the course of the policy pursued to suppress and persecute the Indians of Virginia. And I have reason to know that there are a number of such friends of the Indian in Virginia itself.¹¹⁶

¹¹⁵ Frank Speck to Matthew W. Stirling, 3 February 1943, and H.W. Dorse to Frank Speck, 15 February 1943, Records of the Bureau of American Ethnology, Series 1, Correspondence, Letters Received, 1909-1949, Box 223, National Anthropological Archives, Washington, D.C.

¹¹⁶ Frank Speck to Dr. M. W. Stirling, 4 March 1943, Records of the Bureau of American Ethnology, Series 1, Correspondence, Letters Received, 1909-1949, Box 223, National Anthropological Archives, Washington, D.C.

This letter showed Speck responding to, and advocating for, a specific need felt by Powhatan groups. It also revealed something about his conception of the importance of his own power and authority as a white anthropologist. He claimed his relationship to his informants to be “intimate.” As he vouched for the authenticity of the Indian identities of the people he studied, in effect Speck spoke for the Chickahominy to say things they might also have said on their own behalf, probably with a sense that in this situation, he had more credibility than Chickahominy community itself. Speck, like Mooney before him, used the yardstick of comparing tidewater Virginia groups with more widely recognized “real” Indian groups west and north of Virginia.

Speck also invoked “social separateness” as an appropriate measure of the Indianness of the tidewater Powhatan groups. He did not say explicitly that by “separateness” he meant that those communities were abiding by racialized segregation as it existed in Virginia at that time. If I read his handwriting correctly, he uses the verb “demote” in this letter, and in that respect he conveyed the idea that Indian status was superior to that of African Americans. Even granting the political realities of the segregation aimed at African Americans at the time, the idea of such a racialized hierarchy is something that an anthropologist in correspondence with a fellow ethnologist in 1943 could have explicitly noted as a political and social problem, and a national shame. Speck put the word “racially” in quotation marks, but otherwise, here, he seemed not to intend to question the racialized status quo in a serious way. His concern was for the Indian assertion of the “privileges and distinction” of separate status. Speck framed the situation as an issue of “self-determination,” rather than of Indian acceptance of Jim Crow strictures that originated outside Indian communities, even as his reference to

Hitler shows awareness of a developing trend in American popular thinking about racism during World War II.

In the context of the Jim Crow South, the tidewater groups with whom Speck worked saw the establishment and maintenance of “Indianness” as, among other things, a strategy necessary if they were avoid subjection to the pervasive and deep-rooted discrimination and disfranchisement of the culture and politics of racial segregation. Like the leaders of those Indian communities, Speck apparently did not imagine alternatives to Indian separation from blacks, in that time and place. If the Powhatan Indian groups were to escape the effects of white southern racist segregation, they felt they must in some sense segregate themselves. In order to maintain their cultural identities as Indians in the eyes of whites, in Speck’s time the tidewater Powhatan people felt it necessary to deny that they married, or welcomed as members of their communities, black people. Speck’s work with these groups today seems a valuable window on people whose very existence as Indians posed a specific kind of challenge to white efforts to construct race in the South as a black-white issue. At that time, though, neither Speck nor the Powhatan groups followed that challenge to what we may now see as a logical end: to interrogate the very concept of race, or at least its construction as a simple black-white binary. Although during the fight about the military draft during World War II, Speck could label as “Hitleresque” any efforts to classify Virginia Indians as “colored” he was not arguing against separation of Indians from African Americans. In this vein, in 1924, Speck said

Some of these bands are organized with incorporated charters, others are still tribal Indians on state reservations; the Pamunkey and Mattaponi. The Rappahannock, Chickahominy, Nansamund, Nanticoke, and Upper Mattaponi

succeeded in reorganizing the “Powhatan Confederacy” in 1923, in an attempt to hold together the various bands in the region as a body. The idea of racial segregation and reconstruction is growing among them and will probably develop into an advantageous local social movement.¹¹⁷

Speck’s assiduous efforts to find, uncover, or restore aspects of “aboriginal” culture had political uses in the profoundly racialized context of the Jim Crow South, uses that could embrace forms of “segregation” as “advantageous” to Indians. At the same time, Speck’s work illustrates some problems inherent for Native American peoples in basing Indian cultural and social identities on a model of culture that sees the pre-European-contact period as a fundamental basis for evaluating “real” Indianness. Speck saw “survivals” of material culture and food-getting and preparation as fragments, and wrote that

Survivals, however, are not to be found collectively intact in any one tribal community. They have come down as separate parts, some here in one band, others there in another, according to irregular factors of persistence. In these traits appear combined the characters of sedentary Iroquois culture and those of the more nomadic Algonkian.¹¹⁸

In this way, Speck placed the anthropologist/ethnologist in the position of being the one who could authoritatively describe and define the essentialized “whole” to which extant “survivals” belonged. However, this still leaves the issue that to Speck, one of the firmest grounds for claims to a “real” Native American identity (that is, aboriginal “survivals”) lies in fragments. This could have been seen as potentially undermining Speck’s argument that the groups he studied must be accepted as “real” Indians—which is perhaps why Speck combined his approach to the aboriginal with a view of culture that

¹¹⁷Frank G. Speck, “The Ethnic Position of the Southeastern Algonkian,” *American Anthropologist* new series 26 (1924): 188.

¹¹⁸Speck, *Rappahannock Indians of Virginia*, ix.

embraces processes of invention and re-invention-- processes that necessarily entail continuous change, borrowing, selective accommodations and rejections, and appropriation of elements from “other” cultures. What James Clifford has called “creolized intercultural” then becomes one potential approach to the problems, for marginalized or liminal groups, of the concepts of “continuous tradition and the unified self.”¹¹⁹

Speck’s student Theodore Stern in some ways continued Speck’s work, as he studied the Western Chickahominy group in the 1940s, initially at Speck’s behest. Stern commented explicitly in a monograph published after Speck’s death that Speck’s personal research interests among the Chickahominy were about “the cultural divergency that had been inferred for the Chickahominy from their resistance to the Powhatan kingdom” and about “those facets of survivals from the Indian past, the recording of traits that even today are in the process of disappearing.” Stern also suggested that Speck understood that “features found in common among the tidewater bands and not shared with White or Negro neighbors” in the present could very well have been “modified in the course of time” and might also reflect exchanges among Native groups “during colonial times” rather than “aboriginally.” Stern thus credited the intellectual stimulation of Speck’s broad interests for his own increasing recognition that “... the very considerable differences between the modern Chickahominy and their aboriginal ancestors could not be ignored, and as time went on this came increasingly to occupy a central position in our research.” As a result, Stern said that “...the studies already

¹¹⁹Clifford, *Predicament of Culture*, pp. 10, 14-15.

published on Indian elements retained by the remnant bands of Tidewater Virginia would gain from a systematic survey of the changing context in which they have appeared,” and noted his appreciation of “the successful adaptation which the Chickahominy have made in the course of change.”¹²⁰

Today, Stern’s recognition of change over time sounds rather tame; it suggested, for example, that recognizably “Indian elements” and the “traditional” (rather than Chickahominy life as a whole) were the proper subjects of ethnographic investigation. Still, despite Stern’s language about retentions and remnants, he indicated both real interest in the nature of cultural change among tidewater Virginia Indian communities, and awareness of the fluidity of this “culture-history” as reflecting

a series of movements and combinations that have incorporated diverse tribal groups and outsiders, to produce a synthesis that cannot except upon the most careful inquiry be identified with the aboriginal namesake of the band.

In his periodization of Chickahominy history, Stern described them in the period from about 1850 to 1900 as “The Traditional Community” which he defined as “the time spanned by the folk-memory of the present generation of Indians.” Stern said that his informants in staking out their own “Indianhood” cared little about the ethnographer’s interest in “whether the ultimate source of this element or that is to be found in Europe or in aboriginal Virginia.” He acknowledged that this made sense, since

The blending of constituent features which characterizes a given way of life is far from the mechanical addition of traits. Traditional Chickahominy represented a culture that was both Indian and European commingled and transformed, and unlike either component.

¹²⁰ Theodore Stern, “Chickahominy: The Changing Culture of a Virginia Indian Community,” *Proceedings of the American Philosophical Society* 96 (1952) : 157.

Stern may have overestimated, based in some anthropological theory of his day, the extent to which a given “culture” should be assumed to be tightly integrated and shared in whole by all members of a community. He may also have overestimated the extent to which his “traditional” informants could see the lives of their immediate ancestors as reflecting “an integrated, timeless tradition.” Still, Stern’s acknowledgement of the transformative importance of change over time among the Chickahominy seems to stem from his own experiences face-to-face with members of the Chickahominy community, as well as from his understanding that previous work by ethnologists from Mooney to Speck, if focused on the “traditional,” also kept in view how circumstances changed the context for, and meaning of, “traditional” elements.¹²¹

Stern more explicitly than Speck talked about historical processes of community building and social cohesion. He noted that a range of interests drew the nineteenth-century Chickahominy together, including an opportunity to live on some newly vacated lands, “a consciousness of common tradition, and the bonds of kinship,” and physical proximities fostered by the road system. Stern acknowledged that part of the means and method of drawing a line around the Chickahominy community was the exclusion of individuals who married black people, in acceptance of “the racial ranking of Virginian society...,” and noted that this exclusion could result in family ties being “dropped” or “forgotten.”¹²² Thus, Speck’s students in some ways took a broader view of culture and society than Speck himself, but without distancing themselves from the legacy of his work.

¹²¹ *Ibid.*, 157-158, 193, 199-200.

¹²² *Ibid.*, 204, 206.

Perhaps the most important thing to be gleaned from Frank Speck's career is not the critique of his romantic tendencies, but rather his expectation that "tradition" can and will be constructively, creatively used (invented, reinvented, or "revived") by a community. Frank Speck himself could lay out the issues in a concise way. He argued that the Powhatan groups were "new" compared to their ancestors of the early eighteenth century, but "Despite this, something more than moral and social tradition survives to continue the group as a unit under its old name." Though Speck personally was interested in the "aboriginal" and "traditional," Speck did acknowledge that massive cultural change was to be expected among Native American groups, given their post-European-contact histories, just as other people in "Europe and Asia" had also seen cultural transformations over the centuries. He concluded:

Now comes an era of reconstruction since 1920. The descendants of the Powhatan groups, to avert obliteration of their names and racial tradition, have organized into corporate associations and proceeded along modern lines to carry on a social program for consolidation of their forces. It opens another phase of their history, hopeful in certain aspects, though impeded by recollections of recent social oppression, poverty, slander, and naïve ignorance of white diplomacy. Their desire to exist as smaller nationalities is behind the move. To revive the individuality of their Indian ancestry, they have resorted to grafting customs borrowed from alien Indian groups upon their own denuded cultural framework. This accounts for the introduction of elements of costume, ceremony, and social pageantry met with in their modern tribal life and conspicuous in some of the illustrations of this paper. The critic regards it as degenerate ethnology; but it is not, except in technique: rather is it regenerate. Now at the final move they face the alternatives of losing hold completely and turning down and out in their endeavor, or, more happily, of struggling onward with revived vigor and purpose. The future student of American folk-communities of Indian descent will find here new tribes with new trait-complexes to analyze and interpret. These contributions represent some culture aspects of the humble groups now at a climax and turning point in their history.¹²³

¹²³Speck, *Chapters on the Ethnology of the Powhatan Tribes of Virginia*, 452-453.

We can reject the idea of declension implicit in the notion that these groups were re-building from a “denuded cultural framework.” From a current perspective, it seems crucial to acknowledge that, in the name of “consolidation” and to fight unquestionable “oppression,” Powhatan groups in this period left behind some people who did not or would not reject their African American identities for Indian ones. We can also regret that here Speck did not further interrogate the notion of Indian “racial tradition.”

It seems reasonable, especially given the more recent history of the tidewater Powhatan groups, to think that the processes Speck describes were and are ongoing and long-range, despite Speck’s almost apocalyptic tone about a moment of crisis-- a “final move.” Still, here we have Speck talking about tidewater Indian nationalistic aspirations, and acknowledging and celebrating invention, re-invention, energy and political strategy among tidewater Indian people as communities. Despite the obvious difficulties created by the Jim Crow world where tidewater Indians and he both lived, Speck was dealing with concepts that in some ways connect with more recent thinking about cultural processes of continual invention and re-invention. James Clifford suggested that

Twentieth century identities no longer presuppose continuous cultures or traditions. Everywhere individuals and groups improvise local performances from a (re)collected past, drawing from foreign media, symbols, and languages.¹²⁴

Speck’s work was useful in some ways to the communities he studied (although there were moments when he aroused the mistrust of some individuals among those groups).¹²⁵ That usefulness was greatest to the extent that Speck demonstrated awareness

¹²⁴ Clifford, *Predicament of Culture*, 14.,

¹²⁵ Frank G. Speck Papers, Freeman Guide #3053 [170 (20:4F3c)], Otho S. Nelson to Speck 23 August 1940, American Philosophical Society, Philadelphia, Pennsylvania.

that “Indian” identities were continuously moving and re-inventing themselves and could draw inspiration from diverse sources. The continuing vitality of those processes is evident today. Danielle Moretti-Langholtz has told the story of a recent re-burial led by the Nansemond community, a repatriation conducted in understanding of the context of procedures established by the Native American Graves Protection and Repatriation Act. Oliver Perry, leader of the Nansemond group, planned a public ceremony that included the use of eagle feathers, tobacco pouches, sage, sweet grass, turtle shells, and references to the “sacred hoop.” Moretti-Langholtz’ description sounds as if such symbols were used and put together in ways meaningful to the events’ Native American participants. This is not as merely a response to the need to create recognition of “Indianness” by non-Indians through the use of pre-packaged, stereotyping pan-Indian signs.¹²⁶

The case of the work of James Mooney, Albert Gatschet, Frank Speck and Speck’s students among tidewater Virginia’s Native American communities, then, suggests not only the political and social roles such cultural improvisations and borrowings can play, but also the importance of paying respectful attention to what James Clifford calls “local narratives of cultural continuity and recovery.”¹²⁷ If much of the work of early ethnographers among tidewater Native peoples participated in some racialized and essentialized conceptions of Indianness, it is also true that tidewater organized Native groups made use of ethnographers’ advocacy in ways that served their own immediate political needs, if at the cost of accepting “race” and racialized separation as a building block of their communities.

¹²⁶Danielle Moretti-Langholtz, “Other Names I Have Been Called,” 268-281.

¹²⁷Clifford, *Predicament of Culture*, 15.

Chapter Five **In the Aftermath of the “Racial Integrity” Law**

Following the “racial integrity” legislative battles of 1924, 1928, and 1930, the tidewater tribal organizations formed earlier in the century, and the two reservations, retained their significance as centers for maintaining, presenting, creating and re-creating Native identities. Walter Plecker and his allies continued their efforts to eliminate official recognition of Indian Virginians as Indians. Renewed efforts to challenge the Indianness of tidewater Native peoples occurred, though, not only within state and local bureaucracies, but also in the context of federal enumeration and analysis for the 1930 and 1940 decennial censuses, and in the World War II draft, when tidewater Indians were called to serve in the then-segregated United States military service. The organized tidewater Indian communities resisted in various ways. As they continued to focus on separate Indian institutions, their resistance, as before 1930, entailed exclusion of some individuals whose “mixed” ancestry—red, black, and white-- was similar to that of members of the organized Indian groups, but who were unable or unwilling to join with tribal organizations. As in the decades previous to 1930, organized Native people in the tidewater region continued to call on white people who could be strategic allies, including Frank Speck. As before, they did not, however, directly confront the fundamental ideas about “race” that whites used to explain and “justify” segregation.

This chapter will look first at issues surrounding the federal census and draft, and then at the continuing importance of local churches and schools specifically for tidewater Indian communities, which played major community- and identity-building functions as segregated institutions after 1928-30, as in previous decades. Despite federal and state

government interventions that challenged tidewater Natives to secure recognition of their status as Indians under the “racial integrity” law of 1924 and 1930, tribal organizations and separate Indian churches and schools (often closely linked to tribal organizations), provided continuities for the construction of tidewater Indian identities through the 1930s and into the 1950s. Schools and churches provided sites for intra- as well as inter-tribal connections. Indian schools could link tribal groups to county school boards as well as the state educational bureaucracy in Richmond. Baptist Indian churches forged multiple connections, not only to local white churches within the Dover Baptist Association, but to a Baptist organizational structure that reached throughout the state and the South. It may be that in the late 1930s and 1940s the Indian churches became somewhat more inward-looking. Still, after the legislative storms of the mid- and late-1920s, tidewater Indian churches and schools helped provide a focus for strategic alliances with some whites who were potential advocates, in a pattern established before 1924.

Churches and schools were sustaining institutions in a period of official hostilities until, in the 1950s, the state of Virginia provided organized Native groups some additional leeway in levels of recognition. It also seems that in the 1950s an older pattern of public, dramatic and cultural representations of Indianness regained momentum, as the Western Chickahominy community started an annual autumn inter-tribal festival, and the Mattaponi opened a museum. Today, churches continue as major community institutions, while the segregated Indian schools eventually lost their segregated status in the wake of the *Brown v. Board* decision, and the festival and museum efforts also continue today.

Walter Plecker was concerned about any and all forms of official recognition of Indianness in Virginia, including census enumeration. He went so far as to contact the U.S. Bureau of the Census in advance of the 1930 census in order to press his case that no one born in Virginia could be a “real” Indian, and he also worked to influence the 1940 census. Plecker over the decades before his retirement in 1946 seems to have regretted instances earlier in his career when he compromised with some specific communities on his public position that Virginia Natives should not be recognized as Indians because of their “mixed” and eugenically tainted “blood.” In the legislative battles of 1924, 1928 and 1930, Plecker met with some successes in his efforts to influence federal officials to share his position. There was also resistance by tidewater Indians to his efforts.

As a result, the Census Bureau figures on Virginia Indians for 1930 show the effects of the “racial integrity” campaign, but not in a uniform pattern of reductions in the number of people federally categorized as Indians in Virginia. The figure for Indian population in the state as a whole dipped in 1930 compared to 1920, but it was still at a higher level than it had been for the Virginia in 1910, 1900, or 1890.¹ Further, as tables one and two show, the numbers of Indians did not fall in every county between 1920 and 1930. The figures for people enumerated as Indians for all Virginia counties are comparatively small, and therefore clearly are readily and drastically affected by many factors, such as geographic mobility, especially the search for economic opportunity by individuals moving from rural to urban environments in the twentieth century. Still, it

¹U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska* (Washington, D.C.: Government Printing Office, 1937; reprint, Millwood, New York: Kraus Reprint Co., 1973), 3.

seems more than likely that factors in addition to mobility affected the decade-by-decade fluctuation in enumeration totals for Virginia Indians in the various counties.

The census is, of course, a complex federal effort with national goals and direction that has relied profoundly on local implementation. It is shaped by intersections of federal policy with local practices and social goals. In that way, the fluctuations in county-by-county census tallies of Indians seen in table two (page 285) seem to reflect not only mobility among enumerated people but also Virginia's battles over racialized identities. In other words, the figures reflect movement in the ways in which racial census categories were defined and applied, as well as movement of Indian individuals in and out of a given county or out of the state.

Nationally, federal officials recognized that the numbers of Indians enumerated in the United States were profoundly dependent upon how "Indianness" was defined as an official, racialized category, especially given significant numbers of Indian people of "mixed" ancestry. To look at the impact of Virginia's 1924 "miscegenation" law and the ensuing "racial integrity" campaign on Virginia's Indian census figures, then, means examining national patterns of collection of census information about Indians, not just patterns of Indian identity as identified in the census for Virginia. The context for understanding how and why Plecker attempted to influence census officials for the 1930 census, and how Native people in tidewater exerted counter pressures, includes Census Bureau practices nationally for enumeration of Native Americans for decades before 1930. Those practices included emphases on "blood" and "purity" of "blood" among Indians nationally that grew out of the same set of racist ideas that defined blackness in

terms of “blood.” The Census Bureau by the 1930 count was formally and explicitly instructing enumerators that “one drop” of African American ancestry made one black, while Native American identity could still be defined in terms of “full” or less-than-full “blood.” In a sort of recognition that “race” in America could be “mixed” and multi-faceted, the category for “race” on the general census schedules had been labeled “color” on the 1860-1880 census forms, and “color or race” through 1940, and it was not until 1930 that the Bureau ceased using the “mulatto” category.²

Despite the fact that data on individuals in the federal census is protected from general public scrutiny for decades after a census, Plecker’s interest in the 1930 and 1940 censuses seems strategic in the sense that the United States census’ gross tallies of Virginia Indians as a racialized demographic category could be used as an official federal statement contrary to Plecker’s argument about the “mixed”—and to his mind properly African-American-- nature of Virginia’s Indian populations. Tidewater Powhatan people, thus, also had interests in how the census’ racialized “personal description” category was applied to them, even though in theory their individual census designations would not affect their “racial” status in other areas of their lives.

It seems safe to say that historic United States census enumeration patterns for tidewater Virginia Indians have reflected a complex set of interactions among local enumerators and enumeratees, and between local, state and federal officials. These interactions were framed by the ways in which the Census Bureau for decades dealt with the constitutional provision that “Indians not taxed” could not be counted for purposes of

² See Margo J. Anderson, “Counting by Race: The Antebellum Legacy” in *The New Race Question: How the Census Counts Multiracial Individuals* (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 280-281.

apportionment of seats in the House of Representation (and of direct taxes), while the Bureau in many decades still gathered some levels of demographic information about Native Americans in the United States. In Virginia, these local-federal interactions became more complex with the advent of the “racial integrity” battles of the 1920s.

For purposes of this project, we will look at official census designations of individuals as Indians in three tidewater counties, designations which are relatively few compared to the populations of those counties. An alternative approach would have been a more comprehensive effort to track all families and individuals who were ever identified as Indians in tidewater Virginia, by the census or elsewhere, to see how the racialized designations of all those individuals and families changed and shifted over the years, and as the codes used by the Census Bureau changed.

A working assumption for this project is that nationally and in Virginia, census enumerators might apply the official census categories for “color or race” in highly subjective ways. Further, it seems likely that (compared to more recent immigrants) the arbitrariness of enumerators’ racialized categorizations was most obvious in the case of groups of people (whether black, white, red, or “mulatto”) whose families might represent centuries of “intermarriage” in the United States. As early as 1850, the census documented “an extensive mulatto population ...nationally.”³ Officials might write as if the term “mulatto” had a clear definition in government and legal contexts such as the census (as we have seen, Walter Plecker tried to foster the notion of a precise meaning for “mulatto” in the mid-1920s), but there seems no reason to think that, in actual

³ Joel Perlmann and Mary C. Waters, eds., *The New Race Question: How the Census Counts Multiracial Individuals* in Introduction by the editors (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 4.

practice, census enumerators used the “M” or “Mu” code on the census forms based upon precise genealogical calculations or extended inquiries. The “Instructions to Enumerators” for the 1890 census do define not only “black” and “mulatto” but also “quadroon” and “octoroon” through the use of blood-quantum fractions, but this attempt at precision seems a departure from previous and following instructions.⁴ It seems likely that enumerators made racialized designations based on subjective impressions of the physical appearance of the individual in question, and/or their knowledge of community reputation and associations. Enumerators, like ethnographers, grappled with confusing and power-driven notions about how an African American or an American Indian “should” look. Given this situation, the racial label for a given individual could shift from one census to another.

For decades, enumerators had a great deal of leeway, at least potentially, in categorizing individuals along racialized lines. In the 1970 general decennial census American respondents completed the general census forms themselves, thereby increasing the degree to which self-identification of “color or race” framed the census count. Of course, just as enumerators could provide inconsistent, arbitrary, or racist answers to the “color or race” question, self-identification in this area would also necessarily reflect the “fluidity and instability” of ethnic identities in the United States.⁵ Nationally, census practice in 1970 resulted in an “unexpectedly large increase in the

⁴ Quoted in U.S. Department of Commerce, Bureau of the Census, *Twenty Censuses: Population and Housing Questions, 1790-1980* prepared by Frederick G. Bohme (Washington, D.C.: U.S. Government Printing Office, 1979), 28.

⁵ C. Matthew Snipp, “American Indians: Clues to the Future of Other Racial Groups,” in Joel Perlmann and Mary C. Waters, eds., *The New Race Question: How the Census Counts Multiracial Individuals* in the Introduction by the editors (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 200.

number of American Indians.” It could be that this increase was largest among people “who had previously been identified by the census as white.”⁶ However, the picture of white-to-Indian “ethnic switching” was surely quite complicated throughout the South and in Oklahoma, where this question could touch upon centuries of red-black-white interactions. In fact, in 2000, when the census first allowed individuals to identify themselves by more than one racialized category, “The only three-race combination marked by one hundred thousand or more respondents was white, black, and American Indian....”⁷

Nationally, in general and in recent history, the nature of tribal membership and Indianness, as a racialized matter, is a dual issue that involves not only the idea of “blood quantum” as a “specific fraction of Native American ancestry” but also, as some scholars have noted, “a subjective element of communal recognition; there was no ‘one drop’ rule for them [Indians].”⁸ The situation in Virginia fits into that general framework, while it offers instructive wrinkles. Fights about Indianness and “racial integrity” in 1920s Virginia entailed collisions between, and some attempts at fusion of, a “blood quantum” idea of Indian identity and a “one drop rule” about what made someone African American, in ways that probably would only have happened in the Jim Crow South. It is not that “one drop” of Indian “blood” would necessarily make a person Indian in

⁶ Reynolds Farley, “Racial Identities in 2000: The Response to the Multiple-Race Response Option,” in Joel Perlmann and Mary C. Waters, eds., *The New Race Question: How the Census Counts Multiracial Individuals* in Introduction by the editors (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 34; see also Snipp, 200-201

⁷ *Ibid.*, 47.

⁸ Joel Perlmann and Mary C. Waters, eds., *The New Race Question: How the Census Counts Multiracial Individuals* in the Introduction by the editors (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 5.

TABLE ONE Federal Census figures: for 1890-1910, numbers are for Indians in counties “for which one or more Indians were reported;” and for 1920 and 1930, figures are for counties “in which as many as five Indians were enumerated” (*denotes a total that “includes a number of Indians whose classification as Indians has been questioned.”)

COUNTY /city	1890	1900	1910	1920	1930
Amherst	-	-	7	304*	278*
Bedford				6	7
Bristol city	-	1	-		
Caroline				-	39*
Carroll	4	-	-		
Charles City	1	-	113	104*	132*
Chesterfield	-	-	1	8	-
Culpeper	1	-	-		
Dinwiddie	1	-	-		
Elizabeth City	111	108	-	3	-
Essex	1	-	-	-	11
Fredericksburg city	-	-	1		
Giles				9	7
Goochland	1	-	-		
Grayson	1	-	-		
Halifax				6	9
Hanover	3	24	-		
Henrico	3	-	-	49	3
King and Queen	4	-	-	-	19
King William	137	152	180	232*	203*
Lee	1	-	64	6	3
Mecklenberg				-	5
New Kent	10	1	112	39	11
Norfolk	43	52	37	4	7
Norfolk city				3	13
Northampton	1	-	-		
Pittsylvania	-	-	7	5	-
Portsmouth city	-	-	2	11	3
Prince George	8	8	-	1	-
Prince William	-	1	-		
Pulaski	1	-	-		
Richmond city	-	1	3	18	9
Roanoke	8	-	-	-	-
Southampton	3	-	-		
Staunton city	-	-	2		
Washington	6	6	7	1	-
Williamsburg city	-	-	2		
Wythe	-	-	1		
“all other counties”				15	20

Virginia any more than it would have in other parts of the United States. “Blood quantum,” community reputation, and residence on a reservation were major factors in establishing an Indian identity in Virginia as in the rest of the nation. In Jim Crow Virginia, though, as we have seen, there were efforts to enforce a “one drop” notion of black identity in ways that Plecker and some other whites intended would also obliterate claims to Indian identity among Virginians.

Given this situation, one would expect that the racial data collected in the United States general decennial censuses would reflect the struggles outlined in chapters two and three about the place of Indians relative to Virginia’s official and unofficial “color line.” Indeed, the totals that the Bureau of the Census published for people enumerated as Indians in Virginia between 1890 and 1930 show comparatively wide fluctuations from census to census in some counties-- fluctuations that seem unlikely to result only from movement by Native people in and out of a particular county, or out of the State. (Please see table 1.) The total numbers of people enumerated as Indians for any Virginia county are relatively small compared to the county’s total population, so the significance of these variations, by a strictly statistical standard, might appear negligible. Too, the fluctuations in enumerated Indians for the counties of Norfolk and Henrico, which are adjacent to the urban areas of Norfolk and Richmond, respectively, could result mostly from movement in and out of those counties due to economic opportunities in those urban areas and the fact that both those cities were hubs in Virginia’s transportation networks. The variations for Elizabeth City County seem likely to reflect changes in the ways of counting Indian students at Hampton Institute. Still, that leaves six rural counties where the variations

from census to census in numbers of people enumerated as Native Americans seem striking, even given the relatively low numbers involved. In these counties, these fluctuations reflect any movements of Indian families, but perhaps even more importantly they reflect the changing practices and pressures in application of the Census Bureau's definitions of categories for "Color or race." These six counties are Amherst, Caroline, Charles City, King William, Lee, and New Kent counties. (Amherst and Lee counties are not in the tidewater and do not have organized groups of Powhatan people; they are outside the scope of this project.)

TABLE TWO: U.S. Census Bureau totals for Indians in counties "for which one or more Indians were reported" in Federal census for 1890-1910; and for counties "in which as many as five Indians were enumerated" in Federal census for 1920 and 1930 (*denotes that in the Census Bureau's 1930 report these numbers were footnoted with "includes a number of Indians whose classification as Indians has been questioned.")

COUNTY	1860	1870	1880	1890	1900	1910	1920	1930
Charles City	0	0	0	1	0	113*	104*	132*
King William	0	117	4	137	152	180*	232*	203*
New Kent	1	15	8	10	1	112	39	11

Because King William, Charles City, and New Kent counties have the largest figures for enumerated Indians for the period 1890-1930, I looked at the manuscript census data for those three counties only, from 1860 to 1930. (1930 is the latest census for which the census population schedule forms are available to the public.) Table 2 shows a striking pattern of rising numbers of enumerated Indians in Charles City County for the censuses of 1910-1930 when compared to the preceding decennial counts for 1860-1900.⁹ In New Kent County, there is a comparable rise in 1910, but the numbers go

⁹ Figures from U.S. Department of Commerce, Bureau of the Census, *Indian Population in the United States and Alaska* from 1910, Thirteenth Decennial Census (Washington, D.C.: Government Printing

into a decline in the 1920 and 1930 censuses that seems striking compared to the 1910 figure for the county. Table 2 also shows a sharp dip in the number of enumerated Native individuals in 1880 for King William County.

A more comprehensive approach to following all tidewater families and individuals who had ever been enumerated as Indian across the decades, rather than tracking only instances when the census officially coded people as Indians in tidewater Virginia would show in greater detail the subjective application of those racial categories. It would demonstrate in depth how and when specific individuals' racialized status could and did shift from census to census. Such a comprehensive, quantitatively oriented approach would encounter some problems, though, that are especially pertinent in rural counties. The same last names and even the same first names appear with great frequency in rural tidewater communities among those labeled black, mulatto, Indian, or white. This, and the fact that individuals' ages as documented by enumerators (especially in the earlier censuses) may or may not be accurate and consistently recorded across the decades, often make it difficult to be certain that one is looking at the same individual from decennial census to census. As a result, this chapter will anecdotally describe some families and individuals illustrative of the shifting of census racial designations, but will not attempt a more comprehensive look at all the families and individuals ever enumerated as Indians in Virginia.

Office, 1915; reprint, Millwood, New York: Kraus Reprint Co., 1973), 30; and from U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska* (Washington, D.C.: Government Printing Office, 1937; reprint, Millwood, New York: Kraus Reprint Co., 1973), 20.

In some ways, the patterns shown in charts one and two for census designations of Indians in tidewater Virginia reflect national trends in census enumeration of Native peoples, patterns that developed out of national policies of the Census Bureau and the Bureau's direction to local enumerators. As noted above, Census Bureau practices for counting Native populations reflected the Bureau's historic legal authorizations for dealing with the constitutional provision that "Indians not taxed" would not be counted for purposes of apportioning either direct taxes or representation in the House of Representatives. This provision was originally intended to apply to Native Americans on reservations or otherwise living outside whites' governmental and administrative control. This aspect of the Constitution did not mean that the Bureau gathered no demographic information on "Indians not taxed." It did mean that, generally, for the national decennial counts of 1850 and 1860, relatively few Indian individuals appear. In 1870, while Indians who were living among the general population were enumerated, when it came to Indians "not taxed," census gathering of information about Indian individuals living on reservations was not universal. Some special enumerations of Indians "not taxed, within the jurisdiction of the United States" were completed in 1880.¹⁰

Nationally, then, in the 1850 and 1860 censuses, identifications of individuals as Indians considered potentially or actually taxable and therefore eligible to be enumerated with the general population are unusual. Enumerations of individual "taxed" Indians became somewhat more common in some parts of the country in the general population census of 1870, and more generally across the nation in 1880.¹¹ The Bureau itself called

¹⁰ James P. Collins, "Native Americans in the Census, 1860-1890," *Prologue* 38 (2006): 56.

¹¹ *Ibid.*

the 1860 census “the first in which Indians were distinguished from other classes in the population, but no enumeration was made of Indians in Indian territory or on reservations until 1890.”¹² One genealogist recently put it more simply: “The first federal decennial census that clearly identifies any Native Americans is the 1860 census.”¹³ For the 1860 and 1870 censuses, instructions to enumerators reminded them that Indians “not taxed” were not to be counted as part of the population for purposes of apportionment of Representatives. For 1860, the Bureau provided the guidance that “The families of Indians who have renounced tribal rule, and who under state or territory laws exercise the rights of citizens, are to be enumerated.”¹⁴

Thus, it is not surprising that census figures for Indians in King William County, where both reservations are located, are erratic before 1890, as shown in table two. The census in King William County for this period seems an interesting case, for its two parcels of state-recognized reservation lands were in a somewhat ambiguous position, not being federal enclaves. An 1870 enumerator in King William County listed a number of Indians on separate sheets, and noted in his certification of his work that it included “Indians not taxed.” The dip noted above in King William County’s listed Indians in 1880 compared to 1870 thus may relate to individual enumerators’ practices, because it appears that in general, nationally, the Census effort to collect information about Indians, “taxed” or not, became more systematic as the decades wore on.

¹² U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, 2.

¹³ James P. Collins, “Native Americans in the Census, 1860-1890,” *Prologue* 38 (2006): 54.

¹⁴ Quoted in Collins, “Native Americans in the Census, 1860-1890,” 54.

Bureau analysis of, and reporting on, the 1870 census after the fact further explained that for “half-breed” people the place of residence was crucial in assigning a racialized classification:

Where persons reported as “Half-breeds” are found residing with whites, adopting their habits of life and methods of industry, such persons are to be treated as belonging to the white population. Where, on the other hand they are found in communities composed wholly, or mainly of Indians, the opposite construction is taken.¹⁵

Thus, for individuals seen as “mixed,” the 1870 census connected Indian identity, where ambiguous, to community and culture, as well as biology or genealogy.¹⁶ Perhaps this was another factor in the reduction in enumerated Indians in King William County between 1870 and 1880, in cases when individuals living off reservation lands were enumerated.

In 1880, the Census Bureau instructions to enumerators elaborated on the distinction between Indians “not taxed” and other Indians: “By the phrase ‘Indians not taxed’ is meant Indians living on reservations under the care of Government agents, or roaming individually, or in bands, over unsettled tracts of country.”¹⁷ How to pin down what made a “taxed” Indian was a matter in need of clarification. The 1880 instructions seem to indicate potential ambiguities in what might make an Indian potentially “taxed” and so enumerable. For the Census Bureau, in addressing legal issues of enumeration

¹⁵ Quoted in Collins, “Native Americans in the Census, 1860-1890,” 56.

¹⁶ See Collins, “Native Americans in the Census, 1860-1890,” 56. Nationally in these early censuses there are some instances of “half-breed” Indians listed with a notation “HB” or “½ I” in the column for “color.” In my search, for these early years I did not find any such formalized abbreviations in King William, New Kent or Charles City Counties.

¹⁷ U.S. Department of Commerce, Bureau of the Census, *Twenty Censuses: Population and Housing Questions, 1790-1980* prepared by Frederick G. Bohme (Washington, D.C.: U.S. Government Printing Office, 1979), 22.

for purposes of Congressional representation (a question separate from an individual's racialized identity), crucial factors were maintenance of "tribal relations" and location on Indian lands, even more than a distinction between "full-blood" and "mixed" Indian individuals. The Bureau said:

Indians not in tribal relations, whether full-bloods or half-breeds, who are found mingled with the white population, residing in white families, engaged as servants or laborers, or living in huts or wigwams on the outskirts of towns or settlements are to be regarded as part of the ordinary population of the country for the constitutional purpose of the apportionment of Representatives among the States, and are to be embraced in the enumeration.¹⁸

In 1880, the Census Bureau had received explicit legal authorization allowing it to "employ special agents or other means" to make an enumeration of "Indians not taxed."¹⁹ In 1890, the Census Bureau was also authorized to use "special agents or other means" to list as well as count Indians categorized as to whether they were taxed or "not taxed." The Bureau then carried out a more systematic enumeration effort among American Indians, but almost all the results of the 1890 national census were lost in a fire.²⁰ (Thus, figures in table 2 for 1890 are based on Census Bureau published totals, not the manuscript census schedules.)

For the 1900 and 1910 censuses, the Census Bureau issued special forms for use instead of the standard form, for documenting Indian people both on reservations and in the general population. These forms were more elaborate than the general population form, in that they posed additional questions about the tribal identity of an enumerated individual and of his or her father and mother, about whether the individual was of

¹⁸ *Ibid.*

¹⁹ Collins, "Native Americans in the Census, 1860-1890," 54.

²⁰ *Ibid.* 58.

“mixed blood” (to be expressed in blood-quantum fractions), about whether married individuals were “living in polygamy,” about citizenship and allotment and taxation status, and about whether the person enumerated was “living in a fixed or in a movable dwelling.” These questions show that the form’s designers had foremost in their minds the need to record information about Native groups in the western United States. Given this, and also given the varied efforts over decades in Virginia, before and since, to cast doubt on the Indianness of tidewater Powhatan people, it seems remarkable that these 1900 and 1910 special Indian schedules were used not only for the two tidewater state-reservation groups, but also, in 1910, for the Chickahominy people, who had created their own tribal organization by that time, and for one individual in New Kent County in 1900.

Instructions to enumerators for using the 1900 “Indian Population” schedule, in keeping with general census practices for counting household members together as units, provided that individual “detached” Indians living with white or “negro” families outside reservations be enumerated along with those families on the general rather than on the special form. Similarly, “detached” whites or blacks “living in Indian families should be enumerated” on the special form for Indians

as members of the Indian families in which they are found. In other words, every family composed mainly of Indians should be reported *entirely* on this schedule, and every family composed mainly of persons not Indian should be reported entirely on the general population schedule.

Each individual in a household still had to be classified by race, so these instructions seem to anticipate that the enumerator would be able to distinguish readily between red, white, and black people living in the same household, in order to categorize all individuals by the “right” code in the column for “color or race” that appeared, applicable

for all individuals, on the general as well as Indian Population schedules. One can imagine, though, that in practice enumerators not already familiar with a given family might tend to categorize everyone in a household by the same racialized code unless the enumerator was struck either by stereotypical differences in physical appearance, or by a particular answer to the question about each individual's "relationship ... to the head of the family" such as boarder, servant or stepchild. In that way (cases of non-kin individuals tied to a household as boarders aside), the use of the word "family" rather than "household" in the quoted instructions might have left open some possibilities for recognition of family ties crossing racialized lines. Potentially, perhaps a stepchild, for example, could be counted Indian (or not) based on living in household of Indians (or non-Indians.) Still, "purity of blood" was a preoccupation for the Census Bureau, as demonstrated in the Indian Population census form of 1900 by a question about "mixed blood." The question in 1900 was "Has this Indian any white blood?" and the answer was to be expressed as a 0 or a fraction. The census' general approach to Indian identities, then, was that "one drop" of white blood did not make an Indian "white," but the notion of racial "blood purity" for Indians had great weight.

If the Census Bureau would not prevent every "mixed blood" individual from being enumerated as Indian on the grounds of "mixed blood," the Bureau still faced the problem of how and where to draw racialized lines for individuals whose Indian identities might be complicated by the application of the "one drop" conception of what made someone African American. The 1910 "Indian Population" form considerably elaborated on the "mixed blood" question, compared to the 1900 form. Instead of asking only about "white blood" quantum as on the 1900 form, the 1910 form asked about "Proportions of

Indian and Other Blood.” It called for fractions of “blood” in three categories: “Indian,” “White,” and “Negro.” Someone of “full” blood might be described simply as “full” in the “Indian” column, but enumerators were advised to be vigilant about this: “Wherever possible, the statement that an Indian is of full blood should be verified by inquiry of the older men of the tribe, as an Indian is sometimes of mixed blood without knowing it.”

A published report on the 1910 census indicates that the Census Bureau did not consider it appropriate to include in the census tally of Indians a certain number of “freedmen and intermarried whites among the Five Civilized Tribes” who had been included in Commissioner of Indian Affairs’ figures for Indian population in 1910. At the same time, the 1910 census totals for Indians in the United States counted some 18,546 individuals “enumerated among the general population,” many of whom were probably not included in the Commissioner of Indian Affairs’ total.²¹ The B.I.A.’s legal mandates, of course, were about federally recognized reservation groups; nonetheless these contrasts between the two bureaus suggest that by 1910 the Census Bureau saw as part of its responsibilities a goal to sort out who was “racially” Indian, in addition to the question of residence in Indian communities and on reservations. It seems that by 1910, Census Bureau officials were more aware of red-black peoples and Indians who had black ancestors. In fact, in 1910, the Bureau articulated as a working principle the idea that “...the primary basis of classification of Indians was purity of blood.” In making the 1910 national count of Indians, the Census Bureau reported publicly that

²¹ U.S. Department of Commerce, Bureau of the Census, *Indian Population in the United States and Alaska* from 1910, Thirteenth Decennial Census (Washington, D.C.: Government Printing Office, 1915; reprint, Millwood, New York: Kraus Reprint Co., 1973), 10.

It should be noted that all persons of mixed white and Indian blood who have any appreciable amount of Indian blood are counted as Indians, even though the proportion of white blood may exceed that of Indian blood. Since there is an increasing amount of white blood... in what is classed as the Indian population, it follows that the number of persons included in that class would tend to increase from census to census without necessarily any increase in the total amount of Indian blood.²²

In this way, Census officials accepted that to be an Indian did not mean a majority of Indian “blood,” and in that sense they applied a “blood” test but not a strict “one drop” rule to people of white and Indian ancestry. At the same time, the Bureau here used language that seems to imply that Indian populations were becoming less authentically “Indian,” since marriages with non-Indians were interpreted as leading to a thinning of Indian “blood.” Narratives and assumptions about Indians as “vanishing” peoples are a major part of the context for this. The Census comment quoted above can be read as suggesting that there was a finite amount of Indian “blood” out there, and its dilution did not lower the numbers of Indians to be counted but perhaps made many of those individuals less truly “Indian.”

In fairness, some scholars of demographics today affirm that “...the American Indian population includes a large number of persons of mixed ancestry,” and that since Native peoples “historically have had high rates of marriage with non-Indians” it seems “virtually certain, given high rates of intermarriage, that the full-blood component of the American Indian population has decreased steadily throughout the twentieth century with corresponding growth in the multiracial component.” While the meaning of “full blood” deserves and gets some critique by the author quoted here, he also points out that,

²² *Ibid.*, 10, 71.

practically speaking, many tribes today employ “blood quantum” tests for membership.²³ Thus, the concept of being “full-blood” retains power among some Native peoples as well as whites.

In 1910, the Census Bureau seemingly offered little guidance about how exactly to apply the standard of “any appreciable amount of Indian blood” to cases of Indian individuals who could claim Indian and white ancestry. The Bureau did attempt to define what it meant to say that Indian or white “blood” “predominated;” to be predominantly of Indian “blood” meant that one’s parentage was “less than half white.” In contrast, “half-breeds proper,” according to the Census Bureau, had “one parent who was a full-blood Indian and the other white.” In this way the Bureau clung to the notion that blood “quantum” was clear and self evident, though it did admit that “the proportion of half breeds was probably in many cases an overstatement, because mixed-bloods are more likely to be reported as half white and half Indian than as belonging to any other group.” (The Bureau also acknowledged the possibility of “imperfect returns.”)²⁴

The Bureau in summarizing the 1910 census results devoted little descriptive general text to “Negro and Indian mixed bloods,” compared to the length of the analysis of “full-blood” and “white and Indian mixed-blood” demographics. It did, though, present “Mixed blood—Negro and Indian” as a category in some statistical tables. As with Indian-white ancestry and identity issues, the Bureau used a three-part classification in those statistical tables, using categories for Indians whose parentage was: “Less than

²³ C. Matthew Snipp, “American Indians: Clues to the Future of Other Racial Groups,” in Joel Perlmann and Mary C. Waters, eds., *The New Race Question*, 189, 194, 198, 200.

²⁴ U.S. Department of Commerce, Bureau of the Census, *Indian Population in the United States and Alaska* from 1910, Thirteenth Decennial Census, 35, 37.

half Negro;” “Half Negro, half Indian;” and “More than half Negro.” The Bureau’s brief commentary says that “The number of Negro and Indian mixed-bloods reported, 2,255, is probably an understatement, owing to disinclination to admit Negro blood.”²⁵ While, nationally and generally, then, African American or white ancestry did not necessarily cancel Native American identity in the census count, the use of the terms “mixed-bloods” and “full-bloods” to describe individuals connotes that “blood” remained an important qualifier in white officialdom’s eyes. Being called “mixed” implied a certain kind of tenuousness in an individual’s status as an Indian, while having “Negro blood” was assumed by the Census Bureau to be disadvantageous compared to claiming Indian status.

In 1930, the Census Bureau continued to emphasize concepts of “blood.” In doing so, the Bureau promulgated a standard to evaluate Indian-white “mixed” people that was explicitly different from its standard to categorize Indian-black individuals. In 1930, enumerators were instructed that “A person of mixed White and Negro blood was to be returned as Negro, no matter how small the percentage of Negro blood.”²⁶ In effect, then, the census applied a “one drop rule” in those cases. Indian identity was more complex for the Census Bureau. In 1930, enumerators were expected, in collecting data on Indians for the general population schedule, “to ask whether the Indian was of full or mixed blood and for the tribe to which he or she belonged” (to be recorded in the space on the form otherwise devoted to recording the birthplace of an individuals’ parents).

²⁵ *Ibid.*, 38.

²⁶ U.S. Department of Commerce, Bureau of the Census, *Twenty Censuses: Population and Housing Questions, 1790-1980* prepared by Frederick G. Bohme (Washington, D.C.: U.S. Government Printing Office, 1979), 52.

Instructions to enumerators in 1930 told them “A person of mixed white and Indian blood should be returned as Indian, except where the percentage of Indian blood is very small or where he is regarded as a white person by those in the community where he lives.” The instructions said that “A person of mixed Indian and Negro blood should be returned a Negro unless the Indian blood predominates and the status as an Indian is generally accepted in the community.”²⁷

To be Indian rather than black in 1930 census records, then, officially entailed two markers: both a stringent “blood” test and a community-reputation test.²⁸ In contrast, it seems enumerators were told to apply either of those to tests, not necessarily both, to determine whether to categorize someone as Indian rather than white. Then, too, the “blood” test was different, depending on whether the “mixed blood” question involved white or black ancestors. Individuals perceived as being racially “mixed” red and white might be categorized as white if their quantum of “Indian blood” was “very small.” If the “mix” in question was red and black, one “should” be classified as black unless Indian “blood” seemed to “predominate.” In other words, the Census Bureau said that a good deal of white “blood” was required to make a red-white person white, while it seems that a relatively smaller “quantum” of African American “blood” could suffice to make a red-black person “Negro.” In contrast, enumerators were instructed that someone “of mixed white and Negro blood should be returned as Negro, no matter how

²⁷ U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska* (Washington, D.C.: Government Printing Office, 1937; reprint, Millwood, New York: Kraus Reprint Co., 1973), 1. Enumerators instructions are quoted in National Archives and Records Administration, *1930 Federal Population Census: Catalog of National Archives Microfilm* (Washington, D.C.: National Archives Trust Fund Board, 2002), xiii.

²⁸ In the application of a community-reputation test, of course, in Virginia an important question was which community’s opinion might matter—that of members of Indian communities, or that of their white neighbors (represented, presumably, by generally white enumerators).

small the percentage of Negro blood. Both black and mulatto persons are to be returned as Negroes, without distinction.”²⁹

Thus in the 1930 count the Bureau did away with the use of the “mulatto” category to affirm a “one drop” concept of blackness and whiteness, but institutionalized “blood” complexities when it came to Indianness. Perhaps these 1930 instructions reflect a hardening of perceptions among Census officials about black/red issues and peoples, and about supposed “advantages” accruing to Indian status on reservations or in Oklahoma. The instructions to enumerators seem to reflect commonly held notions about a hierarchy of races—whiteness being hardest to “achieve” in the census framework of 1930. The 1930 instructions on individuals with both red and black ancestors seem like an effort to put together a “one drop” notion of what made someone African American with a kind of “blood quantum” concept so often applied to Native Americans.

Given the tenor of the official 1930 instructions, one imagines that some Census Bureau officials shared opinions and assumptions voiced by Walter Plecker when he urged the Census Bureau to adopt his position that “real” Indians were scarce or non-existent in Jim Crow Virginia. The official instructions to enumerators in 1930 said not only that “Both black and mulatto persons are to be returned as Negroes, without distinction” but also that “Any mixture of white and non-white should be reported according to the nonwhite parents. Mixtures of colored races should be reported

²⁹ quoted in National Archives and Records Administration, *1930 Federal Population Census: Catalog of National Archives Microfilm*, xiii.

according to the race of the father, except Negro-Indian.”³⁰ In the case of a “Negro-Indian” person, then, the test for what made one Indian rather than African American was more complex than the reliance on the identity of the male parent used in categorizing other children of non-white mothers and fathers. This may mean that the Bureau had a twisted understanding of the complexity and longevity of the history of Indian-black relations, a story so embedded in American populations that it trumped even prevalent attitudes about gender. In effect, the Bureau said that whiteness was a quality to be closely guarded, and emphasized that people of red-and-black ancestry were a special case, not to be evaluated in quite the same way as individuals of “other mixed races.”

The resulting ambiguities manifested themselves when, in a 1937 report on Indians in the 1930 census, the Bureau commented this way on fluctuations in the numbers in Indians counted nationally in county-by-county tallies from censuses of 1890 to 1910: “Much of the scattered [that is, not reservation-living] Indian population, particularly in the eastern States, is of a migratory nature and in counties with few Indians the numbers show a relatively wide fluctuation from census to census.”³¹ Granted, of course, there was movement among Indians generally, just as there was in the United States population as a whole over those decades. Still, it seems likely that “migratory” patterns, as an explanation for these specific fluctuations in counts of Indians in census data, were more palatable to white officials than a more frank discussion of ways in which, outside reservations during this period and “particularly in the eastern States,” the

³⁰ quoted in National Archives and Records Administration, *1930 Federal Population Census: Catalog of National Archives Microfilm*, xiii.

³¹ U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, 7.

racialized identities of some Native groups were the subjects of subjective judgments and sometimes of fierce battles that could affect the consistency of enumerators' work. The census tabulation for Virginia as a whole in 1930 shows urban Indians at 4.5 percent of the state's Native population.³² Assuming that much population movement in that era was toward cities, this raises questions about the nature and effects of geographic mobility among Virginia Indians. In the aftermath of the 1924 "racial integrity" law, Helen Rountree has noted, some tidewater Native people did indeed leave the state, some of them settling in New Jersey and Pennsylvania.³³ Still the size of that migration is a question.

In any case, for census officials, to delve into this matter more deeply would have meant getting even more involved in discussions about the ways in which racialized designations, in the census as otherwise in American life, were malleable political, economic, social and cultural phenomena rather than objective, stable, clear categories. When it came to racialized categories, the Bureau's 1937 report described Indian designations and their fluctuations in the census over the decades as a special case, because "... the size of the Indian population depends entirely upon the attention paid to the enumeration of mixed bloods, and the interpretation of the term 'Indian' in the instructions to enumerators."³⁴ This suggests that Bureau officials considered other racialized categories, in contrast, to be generally more clear and unambiguous, or at least simplifiable by application of some form of "one drop rule." The 1937 report grappled

³² *Ibid.*, 8.

³³ Helen C. Rountree, *Pocahontas's People: The Powhatan Indians of Virginia Through Four Centuries* (Norman and London: University of Oklahoma Press, 1990), 225.

³⁴ U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, 2.

with seeming inconsistencies in totals of Indians for Oklahoma, South Dakota, and North Carolina between 1910 and 1930, commenting:

In Oklahoma, it is obvious either that the enumeration of 1920 was at least 20,000 short, or that the enumerations of 1910 and 1930 included too many with only a slight trace of Indian blood in the Indian population. The enumeration in South Dakota in 1920 also appears to have counted as white at least 3,000 who were enumerated as Indians in 1910 and 1930. The rapid increase in the Indian population of North Carolina may be due in part to a more liberal acceptance of the claims of those who wish to be considered as Indians, but there is undoubtedly a true increase, as the proportion of children in this population is unusually high.³⁵

The instructions to enumerators for 1930 had cautioned that

In New Mexico, Arizona, and California, enumerators should take special care to differentiate between Mexican laborers and Indians. Some Mexican laborers may endeavor to pass themselves as Indians. Persons residing in the region should have no difficulty in differentiating between the two types.³⁶

This does constitute some level of recognition by the Census Bureau of the ambiguous nature of racialized designations. It seems, though, that the Bureau attempted to downplay concerns about the consistency of census figures in this area in several ways: by describing a general issue in the West as primarily surrounding the distinction between Indians and “Mexicans;” by promoting the notion that physical differences of racialized “types” would be readily apparent to enumerators with local knowledge; and by emphasizing movement of Indian bodies, among eastern groups more than shifting census racial categorizations of Indian individuals as an explanation for fluctuations in census statistical tallies.

³⁵ *Ibid.*, 4.

³⁶ Quoted in introduction by George B. L. Arner, U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, 1.

How did these general Census practices shape racialized designations of Indians in New Kent, Charles City, and King William counties between 1860 and 1930? The Bureau's general guidance to enumerators and its overall approach to enumerating Indians, as outlined above, undoubtedly did affect the numbers of Indians gathered in the tidewater counties. In addition, the decennial enumeration was the product of interrelationships among official federal, local and state practices and policies. Enumerators operated, in the aftermath of the Civil War, within a context in which tidewater Natives faced official pressures to deny them status as Native people. The census counts also necessarily reflected the racial attitudes and local knowledge of individual enumerators, their whims, ignorance, and inquisitiveness (or lack thereof).

The 1860 general population census for King William County lists no one as Indian, which may largely reflect that year's general lack of effort to look at reservations, while just one person in nearby New Kent County was categorized as an Indian in 1860. Some people linked to Virginia's reservation people in King William County were captured in the 1860 enumeration as "mulatto." Then, in the 1870 King William County census, some individuals who had been categorized as "mulatto" in 1860 were listed as "Indian." This probably reflects the spotty efforts of the census to gather information about Indians, whether in the general population or on reservations, before 1890, but it is also consistent with white Virginians' emphasis on constructing "race" as a black-white phenomenon at that time.

Beginning with 1890, there was more comprehensiveness (or at least the ambition to be comprehensive) in national census efforts to document Indians, so it seems likely that after 1890, anomalous fluctuations in numbers of designated Indians in some

Virginia counties reflect enumerators' and state officials attitudes, just as much as national practice or the relocation of individuals to other counties or states. The Census Bureau's 1937 report on Indians in the 1930 census complained that "In North Carolina, and also in many other areas, the proportion of Indians shown in the census of 1930 as of full blood is much too high. This is particularly true of those tribes in which there is a large Negro admixture."³⁷ Thus, the Bureau showed some level of deference to local enumeration practices, in the sense that it did not alter tallied figures to reflect its judgment in this matter. At the same time, the language quoted here may also be interpreted as indicating the Bureau's acceptance of nationally and commonly held ideas about "one-drop" determinations of African American identities, and it shows acquiescence in the outlines of the color line as drawn in the South at that time.

As table two shows, in King William County, location of Virginia's reservations, enumerations of Indians generally pick up 1890 and succeeding decades, with a dip in 1930 that may reflect the "racial integrity" campaign by Plecker and his allies. In contrast, in New Kent and Charles City Counties, figures for people officially categorized as Indians are minimal until the 1910 census. Between 1910 and 1930, the numbers of Indians in Charles City County reflect a growing level of recognition of Indian identities of Native people without reservation lands. Most probably this is due to the formal organization of the Chickahominy in 1901, for that group is most prominent in Charles City County. In 1910, when a significant number of Indians appears in the Charles City County census for the first time, almost all are recorded on the special form for "Indian

³⁷ U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, in introduction by George B. L. Arner, 1.

Population” and their tribal designation is “Chickahominy.” Still, the seeming mutability of racial classifications over decades in the federal census must have seemed, at best, potentially undermining to Virginia Indians trying to build community and identity in Jim Crow Virginia.

In contrast, numbers of Indians reported in New Kent County fall off after 1910, dipping in 1920 and again in 1930. The trend predates the 1924 “racial integrity” fight, and so may reflect the opinions of individual enumerators more than State official action.

In its 1930 report, as indicated in table 1, the Bureau notated the totals for people recorded as Indians in certain Virginia counties with the following comment: “Includes a number of persons whose classification as Indians has been questioned.” The counties where the Census Bureau in this way called into question its own figures were Amherst, Caroline, Charles City, and King William.³⁸ This seems to be the direct result of Walter Plecker’s contacts with the Bureau.

The census treatment of Virginia Indians was also affected by the fact that in 1930, nationally, the Bureau tried to simplify the number of “stock and tribe” categories it used in tabulations for summary purposes, compared to those it used 1910, and so “many of the smaller tribes were thrown together into groups of tribes.” The Bureau went further, though, in summarizing data on Virginia Indians, by lumping some eastern groups in those states to create a new category for “Virginia-Carolina Indians.” The Bureau itself said that this represented an “important” change compared to 1910. In keeping with its note that figures for some Virginia counties had “been questioned,” the

³⁸ U.S. Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States: 1930; The Indian Population of the United States and Alaska*, 20.

Bureau in making this change separated Virginia's Powhatan Indians from their former grouping with the "Algonquian stock" (for national statistical summary purposes), saying "This group is of mixed and somewhat uncertain origin and in the 1930 classification is not included in any linguistic stock."³⁹ To the tidewater Powhatan groups, this comment surely would have seemed a direct affront to their carefully cultivated and represented historical identification as the people descended from the groups of the historic Algonquian Powhatan confederacy, something they promoted (for example) in public performances. This change in category also distanced tidewater Indians from a connection to a well-known and quite numerous family of Indian identities that were well recognized, nationally, by whites. Further, the Bureau took the occasion of this change in categorization to say that "The returns showing 43.4 percent of Virginia-Carolina Indians as 'full-blood' may be ascribed either to ignorance of racial admixture or to a desire to conceal the fact of admixture from the enumerator." The context here makes it clear that the issue in question was not only "admixture" but also the perception that the "Virginia-Carolina" Indians claimed an unwarranted Native status because of their "desire to be classed as Indians rather than Negroes."⁴⁰

The Bureau's 1937 report also commented on this broadly as a national issue, not one confined to the "Virginia-Carolina Indians." Conceding that "admixture of blood" over the centuries could be "exceedingly difficult to determine" among Native peoples generally, the Bureau opined that "Many Indians with a trace of white or Negro blood in their remote ancestry may not be aware of such admixture, or may not consider it

³⁹ *Ibid.*, 33, 34, 36.

⁴⁰ *Ibid.*, 39.

important. Others may desire to conceal such admixture and to claim purity of blood.”⁴¹ Thus, the Bureau recognized that its standards for Indian “blood” were not necessarily meaningful to (at least some) Native individuals in assessing and asserting their own identities as Indians, while the Bureau nonetheless defended and maintained those standards as an important yardstick used by whites.

The Bureau’s explanations about the significance attached to “purity of blood” seem both very potent for white audiences of that time, and yet also underexamined and underarticulated, as something white readers could be assumed to understand without explanation. Some Bureau report language suggests there was little need to be very explicit about white perceptions of the advantages and/or “superiority” of whiteness, or about the obvious political and economic disadvantages of blackness in that segregated time. The 1937 report suggests that a “sociologist” might be interested in figures on “full blood Indians” that reflected how Native communities themselves constructed Indian identities according to their own standards, but the report does this in a way that implies that those standards were somehow less “real” or objective than those of the Bureau.⁴² Similarly, there was little effort by the Bureau to grapple, in publishing its 1930 figures, with the technicalities and complications of “blood quantum” as applied by some federally recognized tribes and by the Bureau of Indian Affairs.

In 1937, a main facet of the Bureau’s explanation of the importance of “purity of blood” among Indians was that “The admixture of white, and to a lesser extent, of the blood of Negroes and other races, is an important factor in breaking down tribal

⁴¹ *Ibid.*, 70

⁴² *Ibid.*, 70.

organization and characteristics.” In recounting results of the 1930 census, the overall conception of the Bureau about “mixed blood” among Indians seems to have been that marriages across racialized lines generally could be expected to have the effect of diluting Indianness: “An admixture of the blood of other races is usually accompanied by a breakdown of tribal customs, and by adoption, in whole or in part, of the habits and life of another race.” In the same paragraph, the Bureau acknowledged that many of the freedmen among the Choctaw, Creek, Cherokee, and Chickasaw continued after emancipation to live among those tribes, “speaking the Indian language and observing many tribal customs.” Here, the Bureau seemed to qualify its initial blanket statement implying the fragility of “tribal customs” in the face of “admixture.” Clearly, the underlying social, demographic, economic and political strength of a Native group were critical in this area, not just racialized “admixture.”⁴³ Still, the vagueness of much of the Bureau’s language here seems to reflect widespread and popular assumptions that white readers might bring to this report about “race” as a “natural” and essentializing biologized set of categories, and about Indians as “vanishing” peoples.

It seems clear that in marking Virginia Indian groups as people of questionable Indian identity in reporting on the 1930 census, the Census Bureau was directly addressing specific complaints and pressure from Walter Plecker.⁴⁴ Plecker asked the Bureau to deny Indian classifications to any Virginians except the reservation people. Plecker’s impact might have been less, had the Bureau not already been engaged nationally in some conventionally racialized ways of looking at Native Americans,

⁴³ *Ibid.*, 71, 70.

⁴⁴ Rountree, *Pocahontas’s People*, 226-228.

including what it considered the issue of “mixed blood” people trying to “pass” as Indian. It seems likely that Plecker’s arguments fit well within some general leanings of some Census officials in Washington.

In 1930, then, if Plecker succeeded in getting the Bureau to hedge on the meaning of the numbers of Indians it had collected from Virginia, it is also true that not all the figures for Indians in a given county dipped in 1930 following Plecker’s appeals. As noted, in Charles City County, the numbers of people enumerated as Indian rose between 1920 and 1930. In King William County, the number diminished, but remained higher than it had been in 1910. In New Kent County, the number dipped. In fact, the only people listed as Indian in that county in 1930 were a single family who had not been in New Kent County in 1920; in 1920 they had been listed in Charles City County as “mulatto.” Perhaps particular local enumerator in 1930 were, on their own, more skeptical about neighbors’ claims to Indianness than their predecessors in 1920, or perhaps Walter Plecker effectively reached out to local officials in New Kent. Overall, it seems likely that the general pattern for the three counties reflects concerted effort by the Chickahominy to promote their Native identities and to speak to Plecker directly. Then, too, despite Plecker’s advocacy, the Census Bureau count for Caroline County included Indians in 1930 where none had been reported since at least 1890. (See table 1.)

Tidewater Native people, including a leader of the emerging Rappahannock group, Otho Nelson, exerted counter pressures. In a familiar pattern, Nelson’s community got some support in this 1930 census matter from a few whites sympathetic to the idea of Native identities in Virginia, including an official of Virginia’s Game and Inland Fisheries Commission, Mrs. Fred Pfaus (a Baptist churchwoman whom we will meet

again later in this chapter), and Frank Speck. Otho Nelson followed up his initial direct contact with Census Bureau officials. After the enumeration started, he reported to the Bureau (according to Helen Rountree's sources) that "enumerators either classified people 'as they see fit' or they omitted the 'race' question and then wrote what they liked later on." Rappahannock Indian people reportedly visited the head of Virginia's Fifth Census District office to get at least some Rappahannocks listed as Indians.⁴⁵

Enumerators in rural areas such as King William, New Kent, Charles City, and Caroline counties, who probably were residents of the areas in which they did their census work, were influenced by their day-to-day knowledge of their neighbors and communities, as well as whites' general ideas about racial identities in Virginia in this era of "white supremacy." Undoubtedly, some enumerators were in sympathy with popular notions about "miscegenation" and the "danger" posed by "mixed-race" people to racial "purity" and so, like Walter Plecker, were hostile to claims of Indianness. Probably some enumerators brought to their work personal knowledge-- and sometimes acceptance-- of their tidewater Native neighbors' efforts to maintain public Indian identities over generations. Other enumerators probably merely acquiesced if Native individuals insisted strongly enough that they be recorded as Indian rather than black or mulatto. Reportedly, at least one enumerator for the 1930 census in Amherst County (site of so much angst for Walter Plecker and John Powell), found the whole issue of Indianness in that part of the state too much to handle and "refused to record anyone's 'race.'"⁴⁶

⁴⁵ *Ibid.*, 226-228.

⁴⁶ Rountree, *Pocahontas's People*, 228.

One example of the malleability of racialized designations that local enumeration entailed is the case of a woman enumerated in Charles City County in 1910 as an Indian, Carrie P. Adkins. It seems very likely that she was the same person listed as Carrie P. Sweat in 1920 Charles City County census records, when she had apparently remarried, to a man named John J. Sweat. In the 1920 census, Carrie and the rest of the Sweat family were categorized “mulatto,” including some of Carrie’s children from her previous marriage (Sweat’s stepchildren by 1920) who in 1910 had been listed as Indian along with their mother and birth father.⁴⁷ The biological inheritance of those children had not changed in 1920, but the head of their household had, and so, in the eyes of the census, had their racial identity.⁴⁸

As a place with no reservations, New Kent County presents instructive examples of the history of census recognition of tidewater Indians. While some people not members of organized tribes lived in the county, some Chickahominy institutions have been located in New Kent near the Charles City County line. Here, as with the Chickahominy of Charles City County, Indian individuals seem to have received little census recognition until 1910 (see table two). For the decennial counts before 1890, when the Census Bureau was generally not focused on Indian populations, this seems predictable based on national census patterns. For 1860, what seems remarkable is not the lack of Indian designations in the New Kent County census, but the fact that one

⁴⁷ See page 20B, 1920 Charles City Co. census, Harrison District.

⁴⁸ While it is certainly possible that, had the whole family taken up residence within the household of a “mulatto” woman, the outcome could have been the same for the classification of Carrie and her children, it seems also possible that some assumptions about gender were in operation here, as they were later in Bureau advice about using the race of the father to classify children who represented “mixtures of colored races” except black-Indian children.”

person, William C. Langston, was enumerated as “Ind.” In a departure from the typical (though not invariable) pattern in which census enumerators often gave Indian designations, if at all, to a whole family or household, the other members of Langston’s household in 1860 (whose ages and shared surname suggest a nuclear family) were designated “mulatto.” In 1870, prominent among the handful of people listed as Indians in New Kent County was the family of John C. Wynn, who had been categorized as “mulatto” in 1860.

As we have seen, after 1889, Smithsonian anthropologists James Mooney and Albert Gatschet were receiving information about non-reservation Indians in New Kent County. In 1890, Gatschet visited what he called “remnants” of the “Cumberland” Indians in New Kent with the Pamunkey leader William Terrill Bradby. We have seen that Mooney was told by one of his informants of a man named J.T. Pearman, who was reputed to be Pamunkey. This was probably the same Jones Pearman who was listed in the New Kent County censuses of 1860-1880 as “mulatto.”

The Smithsonian’s activities seem to have had little impact on New Kent County census enumerators, though. In 1900, only one person in New Kent County was enumerated as an Indian. His name was MacFarlane Pearman. He appeared in 1900, by himself, on one of the special “Indian Population” forms the Bureau used for the 1900 decennial count, as a sixty-four-year-old single farmer. Given the instructions to enumerators that year about keeping households listed together, he may have been living alone. He was described as having “1/3” white “blood.” His “tribe,” as well as that of his mother and father, was listed as “Pocahontas.” Perhaps this was what Pearman told the

enumerator. He had lived outside the state for some time, and so it is possible that he felt little connection to the organized Pamunkey, Mattaponi, and Chickahominy groups.

MacFarlane Pearman appeared in the 1850 census in Henrico County as a fourteen-year-old in the family of William Scott and Lucy (Jarvis Pearman) Scott, along with Caroline and Nancy Pearman, who were presumably his sisters. Lucy had lived in New Kent County, and maintained ties there, as evidenced by a group of letters that survive to tell part of the family's story. In 1854, William and Lucy with some of their family, including MacFarlane, departed Virginia for Ohio and continued on to Brantford, in what is now Ontario, Canada. They were motivated to move by their urgent desire for greater educational and economic opportunities, and presumably also by the ways in which the climate for southern free people of color continued to deteriorate in the 1850s. Surviving family letters include intriguing references to "the poor mixed blood children" and numerous Indians who lived in the Brantford area, though no explicit claims of Indian identity for the family appear in these letters. The letters also show a connection to John and Susan Howel, whose family are listed in the New Kent County 1880 census as Indians.⁴⁹ MacFarlane returned to the United States at least long enough to be enumerated in Ohio in 1870 as a thirty-four-year-old "mulatto" from Virginia. Thus, his 1900 census designation appears as a remarkable testament to a persistent memory of a family Indian identity as well as to his family connection to New Kent County. It seems

⁴⁹ See Scott-Pearman family letters in the Norvell Winsboro Wilson Papers, #2957, Southern Historical Collection, University of North Carolina Library, Chapel Hill, North Carolina. (The family is identified in the Collection subject index as "possibly mulatto or part Indian.") See also Gregg D. Kimball, *American City, Southern Place: A Cultural History of Antebellum Richmond* (Athens, Georgia: University of Georgia Press, 2000), 135-136.

likely that, in order to be listed as the lone Indian in the county in 1900, MacFarlane had to convey this memory to the enumerator with energy and determination.

Like Charles City County, the 1910 New Kent County census shows a considerable increase in individuals categorized as Indians compared to earlier decennial counts, as shown in table 2. In addition to those coded as Indians, three young men named Wynne, one a twenty-six-year-old named Ferdinand, show up in the 1910 census categorized for “color or race” as “Ot” (for “other,” which the enumerators’ instructions prescribed for individuals “not falling within” one of the other prescribed “classes”) and with a marginal notation that they were Indian and white. In that same year, the New Kent County census recorded a sixty-six-year-old Ferdinand Wynn and his household as Indians.⁵⁰ In 1880 in Charles City County, this older Ferdinand Wynn and his family had been listed as “mulatto.” The younger Ferdinand listed as “Ot” in 1910 was possibly a nephew of that older Ferdinand Wynn, judging from entries in the 1880 Charles City County census and the 1900 New Kent County census; he could be the same individual as an eighteen-year-old Ferdinand Winn listed as “black” in the 1900 New Kent County listing.

Unlike Charles City County, though, the numbers of designated Indians in New Kent County dropped off considerably in 1920 and again in 1930. The only individuals listed as Indians in the 1930 census for New Kent County were the family of Zorobabel Adkins, who in 1920 had been enumerated in Charles City County as “mulatto.” It seems unlikely that all thirty-nine people listed as Indian in New Kent in 1920 had left the County in 1930.

⁵⁰ See New Kent County 1910 general population census, pages 199A, 199B, and 225A.

Indeed, the manuscript copies of some New Kent census forms for 1930 show that in at least some instances, someone in 1930 had overwritten the initial entries for “color or race” for individuals who had been listed as Indians in the 1920 census.⁵¹ This overwriting, where it occurs, makes illegible the entry in the “color or race” column for some individuals who seem to be among those who might lay claim to an Indian identity. The blotting out and overwriting on the census form seem like a literal representation of confusion and inconsistency in white officialdom, of conflicts arising from competing claims about racialized identities, and of the malleability of those racial categories. (This kind of overwriting is not unique to New Kent County in Virginia census forms of the period, or just to cases of erasing “Indian” designations.)

If a racial designation could be effaced and written over so easily, how stable then did “race” categories seem to the enumerator, or to the Census Bureau officials who received the enumerator’s data? People like Walter Plecker saw their work as making necessary “corrections” in the service of eugenics and white “supremacy,” so as to record officially the “real” racial status of individuals engaged in strategies to avoid segregation by claiming Indianness. For others, though, such overwriting and illegibility, in a basic census category that ostensibly was designed to capture clear-cut coded information, might have seemed like a marker of the South’s tangled and ambiguous past in matters of “race.” One wonders whether the enumerators themselves did these overwritings; if so, was it on the spot, or after the fact? Did the changes happen after discussion with

⁵¹ See, for example, entries for the family of Robert W. Atkins for 1930, on page 253B, sheet 8B for the Cumberland Magisterial District, compared to the family’s 1920 listing on pages 102 A and B, sheet 4 for the Cumberland Magisterial District.

officials in state government or the Census Bureau? Did other Census officials make the changes rather than the initial enumerators? How did Bureau workers charged with tabulating totals for the “race or color” column, county by county and state by state, make sense of the entries that were illegible?

It seems that Walter Plecker was yet more successful in influencing the Census Bureau for the 1940 decennial count than he had been in 1930.⁵² Apparently Plecker provided Bureau officials with access to the historical records his office had been accumulating for years that, to Plecker, evidenced that Virginia’s Native people were too “mixed” to be considered Indian. Plecker’s listing of families he considered black rather than Indian was provided to individual enumerators, with the result that in 1940 fewer Indians were in some county counts than in 1930.⁵³ This might represent a level of direct intervention by the Census Bureau hierarchy to influence enumerations in the matter of racialized classifications that could be unusual, up to that time, in Virginia.

Overall, the impact Virginia’s “racial integrity” fights of the 1920s on Federal census counts of tidewater Indians was uneven, reflecting tensions and congruences between local practices and national programs. In Charles City and Caroline Counties, the numbers of people federally enumerated as Indians rose between 1920 and 1930, probably due to the direct and assertive efforts of the Chickahominy people and of the Rappahannock group that had organized in 1921 (with, as we have seen, urging from Frank Speck and some reservation Pamunkeys). Still, when the federal census published

⁵² The 1940 census schedules are not yet open to the general public.

⁵³ Rountree, *Pocahontas’s People*, 230.

summaries in 1937, they included a footnote that cast doubt on whether Native people in some tidewater counties were “real” Indians.

The Census Bureau in general at this time was acting in line with widespread assumptions about the importance of distinguishing between “pure blood” and “mixed blood” among all Native Americans, and with “one drop” ideas about what made someone black. In some ways, then, census officials were not so very far removed from Walter Plecker’s general views on racialized categorizations. They instructed enumerators in 1930 in ways that suggest that quite a bit of Indian “blood” would be needed to make someone red rather than black. At the same time, and if only as a practical matter, national Bureau officials were probably generally disinclined to get into the business of altering racialized categorizations of individuals once recorded by local enumerators. This was likely even though, in at least one instance, as noted above, a regional representative of the Census Bureau took a direct hand in responding to Rappahannock peoples’ direct requests to be enumerated as Indians.

Even if Walter Plecker could get a sympathetic hearing for his eugenic arguments among whites in the Census Bureau, the census counts of Virginia Indians after the “racial integrity” laws of 1924 and 1930 seem to reflect both Native advocacy, and the conflicts, ambiguities and confusions of racialized categories inherent in carving out red identities in a Jim Crow setting. “One drop” and “pure blood” notions pervaded that census setting from the national to the local levels of white social and political structures, but could be challenged by tidewater Native people.

As with the census count, when World War II made Selective Service registration crucial, Powhatan Virginians again found themselves in a landscape in which they were categorized by “race” as a matter of governmental action involving local, State, and federal officialdom. Like the census, the draft involved a set of overlapping government responsibilities that included local as well as national functions and officials. Local Selective Service boards, courts, State officials, and the War Department got involved when Powhatan people confronted again a conflict about their racialized status in the context of the wartime draft. Walter Plecker was engaged, as part of his ongoing, unilateral activities to create and gather official records in the service of his belief that all Virginia Indians had at least “one drop” of African American ancestry and, therefore should be considered “colored.”

Like Jim Crow laws in Virginia, military segregation at that time was most often constructed as if “race” were a simple black-white binary. Local Selective Service boards were normally charged with the general initial responsibility of sorting registrants and inductees by race, and there were no national standardized definitions for this purpose. As with the census, community reputation (which often meant whites’ opinions) was a relevant factor, at least potentially, in cases that seemed ambiguous.⁵⁴

Racially classifying Virginia Indians for draft purposes created a challenge to that system, a challenge that led to serious debate that reached all the way to the court system and the Secretary of War, despite the small numbers of potential soldiers involved. One of the debated questions was about whether the military should accept inductees’ self-

⁵⁴ Paul T. Murray, “Who is an Indian? Who is a Negro?: Virginia Indians in the World War II Draft,” *The Virginia Magazine of History and Biography* 95 (1987): 218, 219-220, 223, 226-227, 230.

identification of their racialized identity.⁵⁵ Virginia tidewater tribal leaders expressed their concerns to state and national officials. At least one local board (in King William County) asked for guidance. A State education official asked the War Department for some policy clarification, because of concern that the categorization of tidewater Native people as black for purposes of military service could threaten the justification for the two Indian schools on tidewater reservations.⁵⁶

As with some other problems they faced, the tidewater Indians were joined by a few white advocates in this fight about the wartime draft. Frank Speck once again used the weight of his years and credentials as an anthropologist to testify to his view that tidewater Powhatan groups' claim to be really Indians was just as valid as the identities of more widely recognized groups in Oklahoma, New York or Canada.⁵⁷

Some tidewater Indians, including reservation people, were inducted and served with whites. Other tidewater Natives were placed with black troops and exercised varied means of protest against this classification. Some Chickahominy men "refused to leave their barracks" and enlisted their chief's help, in order to get their racial classification changed so they would serve in white units. Some Rappahannock men were prosecuted for refusing to serve with or as African Americans, and three received prison sentences.⁵⁸

Helen Rountree and Paul T. Murray have both written about this episode, so suffice it here to point out that some of the patterns in this struggle over the draft and race are similar to patterns we have seen in other areas of contest about tidewater Indians'

⁵⁵ Murray, "Who is an Indian? Who is a Negro?," 229.

⁵⁶ Rountree, *Pocahontas's People*, 230, Murray, "Who is an Indian? Who is a Negro?" 220, 226.

⁵⁷ See Frank G. Speck "Testimonial for Indians of Virginia Approving Their Claim for Indian Classification," 8 December 1944, James R. Coates Collection, Records Concerning the Ancestry of Indians in Virginia, 1833-1947. Accession 31577, Library of Virginia, Richmond, Virginia 23219.

⁵⁸ Rountree, *Pocahontas's People*, 233.

racialized categorization in governmental contexts. Among those recurring patterns in continuing struggles of Indian communities and individuals against white State and local officials bent on imposing a “one drop” view of Native racial identities are the ahistorical and literal interpretation of “race” categories in nineteenth-century official documentation by Walter Plecker and his office, and Virginia Indians’ use of strategically placed white allies who could appeal to other prominent white officials for recognition of their status as Indians.⁵⁹

The draft protests are among the striking demonstrations of the importance that organized tidewater Native groups attached in the twentieth century to maintaining that they were completely separate from African Americans. Here, as in some other areas, tidewater Native peoples sought not to contest the “color line,” but to place themselves on the non-black side of that line in an official government arena. Surely, the re-emergence of an additional locus of government racialized classifications in the form of the Selective Service would have seemed a dire threat to the organized tidewater Native groups, especially non-reservation people, in the wake of the legislative battles of 1924-1930. Meantime, they could still point to segregated schools and churches as testament to their Indian identities and separation from their African American neighbors.

Following the legislative “racial integrity” fights of the 1920s and 1930, separate Indian churches remained important community-building institutions for Native people in tidewater Virginia. The tidewater Baptist Indian churches continued to grow in numbers

⁵⁹ See Paul T. Murray, “Who is an Indian? Who is a Negro?: Virginia Indians in the World War II Draft,” *The Virginia Magazine of History and Biography* 95 (1987): 215-231.

and in membership after the 1920s. In 1928, the Dover Baptist Association (part of the Southern Baptist Convention organization) included the Pamunkey, Samaria (Western Chickahominy) and Tsena Commocko (Eastern Chickahominy) churches, which had been organized since 1865, 1901, and 1922 respectively. Membership in those churches was reported that year at 100 for Pamunkey, 144 for Samaria and 38 for Tsena Commocko. While these three churches at that moment did not have Indian pastors, Native leadership within individual congregations remained key to their operations. The clerks who took care of much church organizational and financial activity, for example, were members of the Indian communities.⁶⁰

By 1950, there were five Indian Baptist churches in Virginia with a total membership of 487. By then, these Indian churches generally had the auxiliary organizations typical of Southern Baptist congregations, organizations that provided opportunities for community social interaction and organization, such as Sunday Schools, Woman's Missionary Unions, and Baptist Training Unions. The churches provided means of fostering social relationships within a given Indian community, serving not only as sites of formal worship but also as community buildings, and sponsors of those auxiliary church organizations, which were led by members of the Indian communities. By 1950, at least two of these churches were holding homecomings at which ministers from other, white, churches participated.⁶¹

⁶⁰ Dover Baptist Association, *Minutes of the One Hundred and Forty-Fifth Annual Session of the Dover Baptist Association Held With Hopeful Baptist Church, Hanover County, Virginia July 17th and 18th, 1928* (Richmond, Virginia: Dover Baptist Association by Interstate Printing Corporation, 1928), 44-51.

⁶¹ "Indian Churches and Schools in Virginia," *Religious Herald*, 9 March 1950, 12-13.

These kinds of growth and development, and Indian participation in the Dover Baptist Association, exemplify how these churches provided social and cultural support for their Indian identities through outsider recognition of these Indian institutions, not only among white and black neighbors but also within Baptist State and regional organizational structures. Support extended by other Baptist churches to schools for Indian children was significant not only in terms of a given Indian congregation's investment and sacrifice from a church platform, but also because the schools provided opportunities for white Baptist advocacy for education of Indian children.

The growth of these churches, the roles of Native people in their development, and their embrace of standard Baptist organizational structures through the 1930s and 1940s appear more significant given the small, rural and not affluent nature of the Native communities from which they drew members. For example, a new church was organized among the Mattaponi reservation people in 1932, preceded by earlier efforts of Chief George F. Custalow to provide for occasional services on the reservation, and drawing members who had attended the Pamunkey church. When the congregation of the Mattaponi church dedicated a new building in 1935, the man who was "acting pastor," Harvey N. Custalow, came from the membership of the church. He was probably related to the three Custalow men, one of them George F. Custalow, who helped organize the church and request its inclusion in the Dover Baptist Association in 1932.⁶² By 1939,

⁶²Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association* (Richmond, Virginia: The Virginia Historical Records Survey Project, 1939), 42, and J. B. Hill, "Dedication of Mattaponi Indian Baptist Church," *Religious Herald*, 6 June 1935, 8.

Harvey N. Custalow was serving as pastor for both Mattaponi and Samaria churches.⁶³ By at least 1941 he was ordained, and in 1950 he was still pastor of the Samaria Church.⁶⁴ Indian View Church, of and for the Upper Mattaponi organized in 1942, and the Rappahannock people developed their own church in 1964. (The Rappahannock Indian church became part of the Dover Baptist Association shortly thereafter, in 1965.)⁶⁵ In the late 1930s and 1940s, then, members of Indian communities remained firmly positioned as the stewards and managers-- clerks, treasurers, and Sunday school superintendents, for example-- of their own Indian churches and church-related activities, though it appears their ministers were white, except for Harvey Custalow.

The newer churches of the Mattaponi, Upper Mattaponi and Rappahannock communities each post-date formal organization of the group they served by some decades.⁶⁶ Still, close connections existed between formal tribal organizations and an Indian community's church. For example, in 1965, the Virginia Baptist newsletter noted that for the Pamunkey Church "Sunday school department," which dated back to 1867, "The chief of the tribe often has served as Sunday School Superintendent."⁶⁷

Members of Indian churches were active within the Dover Baptist Association in the mid- and late 1920s as representatives of their churches and as participants in

⁶³ *Minutes of the One Hundred and Fifty-Seventh Annual Session of the Dover Baptist Association, Virginia, Held with the Glen Allen Baptist Church, Henrico County, Virginia, April 11th and 12th, 1939 and Annual of Dover Women's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1939), 65.

⁶⁴ *Minutes of the One Hundred and Fifty-ninth Annual Session of the Dover Baptist Association, Virginia, Held with Ginter Park Baptist Church, Richmond, Virginia, April 15-16, 1941, and Annual of Dover Women's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1941), 45. and "Indian Churches and Schools in Virginia," *Religious Herald*, 9 March 1950, 12.

⁶⁵ William L. Lumpkin, *A Chronicle of Christian Heritage: Dover Baptist Association of Virginia, 1783-1983*. (Richmond, Virginia: Skipworth Press, 1983), 197.

⁶⁶ Helen Rountree, in *Pocahontas's People*, page 216, dates the modern formal organization of the Upper Mattaponi to 1923 and that of the Rappahannock to 1921.

⁶⁷ Daniel Slabey, "First Indian Baptist Church in Virginia," *Religious Herald*, 2 September 1965, 7.

Association organizational structures. The Association, as we have seen, proved an advocate for tidewater Indians in the 1928 legislative battle in which John Powell and his allies sought to amend Virginia's legal definitions of "colored person" and "Indian." Following the "racial integrity" legislative battles of the 1920s, as tidewater Native people organized additional Indian churches, these churches as a group generally maintained connections with the Dover Baptist Association. What makes this noteworthy is the general prevalence of segregation in southern Baptist congregations of that time. Many antebellum Virginia Baptist churches had reported figures for "colored members," as for example when in 1838 and 1839 the Dover Baptist Association minutes provided separate tallies for white and "colored" membership for each of the Association churches.⁶⁸ A century later, the Association made no such racialized distinctions in counting and charting membership figures for churches that made up the association.⁶⁹ Presumably, this was because southern Baptist churches then were so commonly segregated along the black-white color line.

The Dover Association, as a Southern Baptist Convention group with Indian (non-white) churches, then, was in what may have been at times an anomalous position. Probably, tidewater Indian Baptist church members would have vigorously opposed any move to classify them as "colored" by anyone in Southern Baptist organizational structures. Departure from the Association would have presented a dilemma, though, leaving these churches without a form of connection to a regional institutional network

⁶⁸*Minutes of the Dover Baptist Association: Convened at Bethel M.H., Elizabeth City County, Va.,... Oct. 12-14, 1839* (Richmond, Virginia: William Sands, at the Office of the *Religious Herald*, 1839), 3-4.

⁶⁹*Minutes of the One Hundred and Fifty-Seventh Annual Session of the Dover Baptist Association, Virginia, Held with the Glen Allen Baptist Church, Henrico County, Virginia, April 11th and 12th, 1939 and Annual of Dover Women's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1939), 72-73.

that had been a source of various kinds of support to tidewater Indians. Baptist churches, of course, in significant ways are self-governing, independent bodies, but links to a larger Baptist world had had some advantages for tidewater Indian churches ever since the Pamunkey church was founded in 1865. It seems more than unlikely, after 1865 and as Jim Crow restrictions developed in Virginia, that tidewater Indian congregations would have joined an association of black Baptist churches, given the ever-looming potential that tidewater Native groups would face yet another attack on their Indian identities.

Having their own churches was a piece of evidence cited by tidewater Indians about their separation from their African American neighbors. By the 1930s, the state and regional Baptist organizations to which the Dover Association was allied and reported probably assumed that constituent churches were homogeneously white, apparently leaving no need to request or keep statistics on Indians-- or on the ethnicities of other members. (The Dover Baptist Association did include a "Slovak" church at that time, a church that dated back to 1913.) In fact, the constitution and by-laws of the Dover Baptist Association by at least 1939 were silent about race in discussing membership and other organizational practices.⁷⁰ This may be read as an indicator of how thoroughly taken for granted and "unmarked" a "white" identity was among white Southern Baptists, which was perhaps one of the reasons tidewater Natives were desirous of participating in an organization so unambiguously not "black."

In the late 1930s and 1940s, Native congregants in these churches seem less prominent in the committee work of the Dover Baptist Association than they had been in the mid- and late 1920s. They continued to participate regularly in the Association's

⁷⁰ *Ibid.*, 7-10

annual meetings representing their own congregations, but became perhaps less active in leading the Association's business affairs and committee work. Still, their financial contributions to the Association were dependable, and their cultivation of auxiliary groups, such as the Sunday schools and Woman's Missionary Unions (W.M.U.), seems to have been quite steady from the Association's point of view.

An exception to this general trend related to leadership within Association committees seems to have been tidewater Indian church women's participation in the Rural Dover Sunday School Convention, and in the Woman's Missionary Union, Auxiliary to the Dover Association. For example, Ruth Cook, of the Pamunkey church, is listed from 1939 to 1947 as the leader of "Group 7" of Dover's auxiliary Woman's Missionary Union (W.M.U.), and in 1939 she was appointed to the W.M.U. nominating committee. In 1944, she served on the "Time and Place Committee." Mrs. Fred Pfaus, a white woman who also involved herself in census matters and advocacy for Indian schools, was active as an officer in the W.M.U. both at the Dover auxiliary and at the Statewide level, and sometimes as a past officer attended Dover W.M.U. annual meetings between 1939 and 1947.⁷¹ Probably her opportunities to meet Indian women in Dover

⁷¹*Ibid.*, 49, 54; see also *Minutes of the One Hundred and Fifty-ninth Annual Session of the Dover Baptist Association, Virginia, Held with Ginter Park Baptist Church, Richmond, Virginia, April 15-16, 1941, and Annual of Dover Women's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1941), 69-71, 73; other examples at *Minutes of the One Hundred and Sixty-first Annual Session of the Dover Baptist Association, Virginia, Held with First Baptist Church, Richmond, Virginia, May 5-6, 1943 and Minutes of Dover Rural Sunday School Convention, and Annual of Dover Woman's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1943), 70, 76, 77, 79, 80, 81, 82; see also *Minutes of the One Hundred and Sixty-second Annual Session of the Dover Baptist Association, Virginia, Held with Biltmore Baptist Church, Henrico County, Virginia, April 11-12, 1944 and Minutes of Dover Rural Sunday School Convention, and Annual of Dover Woman's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1944), 76-77, 79, 80, 81.

W.M.U. work made Mrs. Pfaus more aware of the concerns of tidewater Indians, an example of the networks that Baptist affiliation could afford tidewater Native groups.

Annual reports of the Dover W.M.U. between 1939 and 1947 suggest that the Native churches' participants in the W.M.U. (which in many years did not include the Mattaponi church before 1946) reflected significant commitment, given the relatively small size of these churches. There is matter-of-fact naming of, but little explicit emphasis on, the Native churches' status as Indian groups in the Dover W.M.U. annual reports. One of the relatively few references to "Indian neighbors" in those reports appears in 1945, and it is about missionary work among Native Americans in New Mexico and Arizona, not tidewater Indian neighbors. In that same report, discussing the context of the war years, the superintendent of the Dover W.M.U organization pointed to the importance of international mission work in order "that ignorant, superstitious, uncouth, unattractive natives might know Christ as their personal Savior." In that same report she made a reference to tidewater Native Baptists as Indians: "Two of our girls from Pamunkey Baptist Church are students in Bacone Indian College near Muskogee, Okla., where they are preparing themselves for greater work among their own people."⁷² Presumably, Dover's W.M.U. Superintendent did not consider the tidewater Indian Baptists to be "ignorant, uncouth, unattractive natives," and as people with churches they were not candidates for missionizing. Still, one wonders what Indian participants in Dover's Woman's Missionary Unions made of her reference to the generalized,

⁷² *Minutes of the One Hundred and Sixty-third Annual Session of the Dover Baptist Association, Virginia, Held with Barton Heights Baptist Church, Richmond, Virginia, April 17-18, 1945 and Minutes of Dover Rural Sunday School Convention, and Annual of Dover Woman's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1945), 27, 29.

primitivized “natives” that had overtones of a traditional white southern pattern of emphasis on gentility, combining racialized notions of physical appearance and class-based notions of standards of behavior. The phrase “their own people” suggests that the racial line around tidewater Indian Baptists was firmly drawn in this superintendent’s mind, and drawn so firmly that it rarely needed mention.

Seemingly, many male tidewater Indians in the late 1930s and 1940s focused more of their energies on leading within their own congregations and less on the Association as a whole. O.T. Custalow, sometime clerk of the Mattaponi church, did appear on the Association’s standing committee on “Southwide Enterprises” in 1944. He and George F. Custalow were also reported as having been participants in discussion at the Association’s general meeting that year.⁷³ In 1945, O.T. Custalow “offered” the Southwide Enterprises committee’s report at the Association’s annual meeting. In talking about “home mission” opportunities and needs, the committee’s standard brief digest of southern Baptist Conference activities (that Custalow submitted) included mention of “...two hundred thousand Indians in eight Southern States” along with “Spanish-speaking,” French, and Italian groups, and others in the South who were “not ministered to by local churches.”⁷⁴ Generally, though, the voices of Indian delegates at Dover annual meetings got little attention in the published minutes between 1939 and 1947. For example, when the 1946 Dover Association minutes indicated that the relatively new Indian View church was a topic of discussion and an applicant for Dover membership,

⁷³ *Minutes of the One Hundred and Sixty-second Annual Session of the Dover Baptist Association, Virginia... April 11-12, 1944*, 3, 17, 36.

⁷⁴ *Minutes of the One Hundred and Sixty-third Annual Session of the Dover Baptist Association, Virginia... April 17-18, 1945*, 30.

they also read as if a white pastor, rather than the church's Indian members and four delegates, did the talking at that annual meeting.⁷⁵

The Dover Association annual meeting minutes for 1939-1947 reveal little focus on Indian members of associated churches as Indians; the Indian churches are simply included in general reporting on member churches and their activities. At the same time these published minutes between 1939 and 1947 do include regular references to racialized matters, including work with African American churches in Virginia, the American Baptist Theological Seminary jointly supported by the National and Southern Baptist Conventions as a site for training African American ministers, "interracial work" such as "friendly contact with Jewish neighbors," and the need for missionary activities in a variety of groups, such as "the Chinese and the Negro and the Mexican and the Russian and the Pole and the Italian" at home and abroad.⁷⁶

In 1945, 1946 and 1947, Association minutes mention a generalized body of southern Indians as some of the potential targets for "home mission" evangelization among the unchurched of the South.⁷⁷ Contemporary tidewater Virginian Indians, though, were generally not highlighted in the Association minutes and reports during this period as a racially or ethnically distinctive group, outside simple acknowledgment of their churches as "Indian" ones. Exceptions are the reference to Pamunkey young

⁷⁵ *Minutes of the One Hundred and Sixty-fourth Annual Session of the Dover Baptist Association, Virginia, Held with New Bridge Baptist Church, Henrico County, Virginia, April 16-17, 1946 and Annual of Dover Woman's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1946), 14-15.

⁷⁶ See, for example, *Minutes of the One Hundred and Sixty-second Annual Session of the Dover Baptist Association, Virginia... April 11-12, 1944*, 27, 29, 31, 82.

⁷⁷ See, for example, *Minutes of the One Hundred and Sixty-fifth Annual Session of the Dover Baptist Association, Virginia, Held with Park View Baptist Church, Richmond, Virginia, April 15-16, 1947, and Annual of Dover Woman's Missionary Union* (Richmond, Virginia: Richmond Press, Inc., 1947), 35.

women cited above, and an occasion in 1946 when the Association agreed to help partially fund publication of Mrs. Fred Pfaus' pamphlet, "Our Indian Neighbors."⁷⁸

In 1947, the minutes reported that Mrs. Pfaus'

pamphlet has elicited considerable interest among our people concerning work among the Indians; and it has been an inspiration to the Indians themselves. A number of the Indian youths are applying themselves diligently to their studies and are making a creditable showing in their classes.⁷⁹

The reference here to "our people" seems intended to embrace the whites within the Dover Association, rather than its Indian membership, marking a rare overt reference, in the 1939-1947 minutes, to a racialized divide among the Association's churches. It is hard to imagine that the Indian participants in the Dover Association would have given Mrs. Pfaus quite so much pride of place as an "inspiration." Doubtless, she was useful to them as yet another white person who spoke about issues of concern to them. She probably received expressions of gratitude from tidewater Indians, in keeping with white expectations about racialized etiquette in that time and place. Probably, though, the whites in the Dover Association had some inflated notions about how dependent tidewater Indian people were on someone like Pfaus for "inspiration." Tidewater Indian churches and individuals had been making significant investments in Baptist work, in the Dover association, and in leading and managing their own churches, for decades before this pamphlet was published. There was a pressing need for white allies of any type who were willing publicly to support, in principle, the concept of tidewater Indian identities,

⁷⁸ *Minutes of the One Hundred and Sixty-fourth Annual Session of the Dover Baptist Association, Virginia... April 16-17, 1946, 34.*

⁷⁹ *Minutes of the One Hundred and Sixty-fifth Annual Session of the Dover Baptist Association, Virginia... April 15-16, 1947, 42.*

but the patronizing tone of these minutes was probably not lost on tidewater Indian members of the Dover association.

Perhaps the relative silence among the Association's white Baptists—other than people like Mrs. Fred Pfaus who were willing to advocate for specific issues—was a means of minimizing the possibility that a question of “race” within and among the membership of Dover churches would become a source of conflict. If so, then perhaps this relative silence suited Indian participants in the Dover Association, in the wake of the noisy 1920s “racial integrity” fights. Perhaps by the 1930s and 1940s the Association had gone as far as it was likely to go in the area of formal advocacy for its Indian members, after its engagement in the fight over the 1928 bill proposing changes in legal definitions of Virginia's racialized categories. Perhaps, too, except for efforts to get more support for Indian schools, the Indian congregations of the Association themselves had some reluctance to highlight their racialized identity too often, absent an immediate, pressing strategic need.

There is some evidence of Woman's Missionary Union advocacy, around 1940, for the Indian churches to call Indian pastors from the West, to replace the whites who were acting as ministers at some of the churches, but it seems that the Indian churches in the Dover Association generally did not pursue this idea.⁸⁰ Between 1939 and 1947, while Powhatan community members led their churches in many other ways and offices, the only tidewater Native minister was Harvey N. Custalow. Perhaps the idea of bringing in Native ministers from outsider Native groups was not seen as a pressing need because the Indian churches of the Dover Association felt their white ministers linked them more

⁸⁰ Rountree, *Pocahontas's People*, 230.

securely to other Dover churches, or because they were reluctant to take action that might discourage members of their own communities from seeking pulpits in their own, local Indian churches. If so, then the Baptist ministry at that time may be an example of how local (Baptist, in this case) non-Indian associations might be valued just as much as connections with federally recognized Indian groups. Perhaps, on the other hand, this was more simply part of a general trend during the 1930-47 period against calling too much attention within the Association to questions of Indian identities.

As recently as 2004, the roles of tidewater Indian churches as historically segregated institutions led by and for Indians drew (surely unwanted) attention when the Richmond *Times-Dispatch* reported that a married couple, Lori and Jasper Battle, had been denied admission to the Rappahannock church because Lori, identified as a Rappahannock Indian, had married Jasper, an African American man. In two articles, the newspaper framed this story as a matter that in some ways divided the congregation. Some church members viewed this episode as an opportunity to move beyond “racism,” and others saw the denial of membership to the Battles as a matter of community preservation, something that was necessary for “the Indian identity to stay pure.”⁸¹ The rhetoric of “purity” here echoes language used by Walter Plecker and his allies, and it marks the continuing legacy of Native communities’ reactions to the “racial integrity” campaign and to decades of coping with challenges to Native identities in tidewater Virginia. Perhaps in an attempt, in 2005 in the wake of the Rappahannock church publicity, to counter the idea that the tidewater Indian churches were “racist,” a short

⁸¹ Arica L. Coleman, “Notes on the State of Virginia: Africans, Indians and the Paradox of Racial Integrity” (Ph.D. dissertation, Union Institute and University, 2005), 106-109.

piece in a Baptist journal reported that the Samaria Church had “signaled” its inclusiveness in 1987 by dropping “Indian” from the name, noting that in 2004, when the nearby St. John Baptist Church burned, Samaria responded by inviting its black members to worship at Samaria.⁸²

What seems clear here is that the legacy of Jim Crow and “racial integrity” in Virginia continues, engendering twenty-first-century fears among tidewater Native people that perceptions of their hard-won identities as “real” Indians could be eroded by social proximity to African Americans, but also creating potential conflict between Indian-centered institutions and the larger society’s expectations about “racial” integration, in the wake of the modern civil rights movement. For couples like the Battles, family ties can still be challenged along the “color line” among tidewater Indian groups. In fact, the tidewater Indian churches may be even more vulnerable to public accusations of racism than white congregations in comparable rural circumstances, given their conspicuous identities as historically segregated churches designed to serve very specific, small communities, and also given relatively high rates, nationally, of marriages by Native people to non-Natives.

After 1928 as before, the organization of a Baptist Indian congregation often was connected with efforts to provide separate local schooling for an Indian community’s children. For example, the Tsena Commocko congregation of Eastern Chickahominy people, organized in 1922, had met in a school building until the construction of a new

⁸² Barbara Booth, in *Virginia Missions*, Spring 2005.

church building in 1932.⁸³ When people on the Mattaponi reservation lands organized their own church in 1932, it was after four years in which “missionary” services had been held in the Mattaponi school building.⁸⁴ The Upper Mattaponi met for Sunday School in the Sharon Indian School before building the Indian View church building.⁸⁵

Some white Baptists of Virginia, including Woman’s Missionary Societies in Richmond, continued to take interest in support for schools for the tidewater Native groups for decades. The Virginia Baptist newsletter made the links explicit, for example, in a 1950 article that outlined the status of the five tidewater Baptist Indian churches, and then noted “Hard by each Indian Church there is a school....” These were the Pamunkey, Mattaponi, Sharon, Tsena Commocko and Samaria schools. This 1950 article’s snapshot noted that while these five Indian schools existed in tidewater Virginia, only one, the Samaria school, provided any high-school-level classwork. “This is the only Indian school in the state with one year of high school, which prepares their students for high school work in Bacone College, where they have ten students this year (1949-1950).” Probably it was not coincidence that at Samaria, some school leaders were Native people; at that time, a woman of the Chickahominy community who had gone to Bacone was a

⁸³ Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association*. (Richmond, Virginia: The Virginia Historical Records Survey Project, 1939), 40.

⁸⁴ *Ibid.*, 42.

⁸⁵ “Indian Churches and Schools in Virginia,” *Religious Herald*, 9 March 1950, 13. It was not unusual for Baptist congregations to get started in available community buildings such as schools. For Native tidewater organized groups, though, such borrowings and linkages entailed a particular kind of “racial” or ethnic segregation, a degree of separation that was especially obvious because of the Indian churches’ much smaller pool of potential members, compared to that available to white and black congregations.

teacher at the Samaria school, and her husband, a Seneca man whom she had met at Bacone, was the principal.⁸⁶

This 1950 article is relatively critical of state and local levels of support for the five schools, noting that

Indian boys and girls have nothing to look forward to beyond the grades. High school and college training is denied them in their own state and they go outside of the state for this training. The State Board of Education pays one-half of their tuitions, and one-half of the transportation when they go to other states for this training. On the Pamunkey and Mattaponi Reservations the State Board of Education provides the building and teachers for their schools. This is not true of the non-Reservation Indians.

Reporting that twenty tidewater Indian students had left the state to go to school in 1949, this piece also explained that for the non-reservation groups the levels of State and local support and facilities were generally inadequate. As a result, "... due to crowded conditions Samaria Indian Church allows the higher grades and the recently added ninth grade pupils to use their Sunday School rooms." This article pointed out that the Sharon school had a hot-lunch program in 1946 that was aided in part by the Woman's Missionary Society of the Ginter Park Baptist Church in Richmond (part of the Dover Baptist Association) and that a lunch room was built in 1948 with much volunteer help from "friends" and "patrons." (Some federal aid for hot lunches was forthcoming in 1947.) Levels of dependency on voluntary contributions for fundamental school needs, and the deference that could be entailed by patronage relationships with whites, are emphasized when the article notes that "The patrons and pupils of these schools are deeply grateful to Mrs. Fred Pfaus, George W. Blume, and the Woman's Missionary Societies of Richmond and their many friends for all they have done for them." The

⁸⁶ Indian Churches and Schools in Virginia," *Religious Herald*, 9 March 1950, 21.

separateness of the Indian schools is also indicated by the fact that the head of the Southern Baptist Convention's "Indian work" was described as having visited these schools.⁸⁷ (This shortfall in public funding for education and for school facilities is comparable to the situations that called forth volunteer work and financial sacrifices by African American parents throughout the South.)

Thus, in the area of schools, the tidewater Indian members of the Dover Baptist Association were recipients of some Baptist "home mission" energy, whereas generally Dover Indian congregations had positioned themselves within the Dover association's efforts as givers of such missionary aid for the "unchurched" of the South. Clearly, the school needs were great and the State and local public educational systems' response to those needs was inadequate. One wonders, though, whether tidewater Indian groups found grating the patronizing overtones of some descriptions of the real assistance they received through their Baptist connections.

A Baptist churchwoman connected with the Dover Association, Mrs. Fred Pfaus, wrote for a 1949 pamphlet a text captioned "Our Debt to Virginia Indians" (it closely mirrors the 1950 *Religious Herald* article), in which she noted the lack of public-school-system support for the three schools for tidewater "citizen Indians," in contrast to the fact that the two reservation groups had better facilities due to the involvement of the State Board of Education. Pfaus went a bit further than the *Religious Herald* article of 1950 did in describing the inequities of the situation:

⁸⁷ Indian Churches and Schools in Virginia," *Religious Herald*, 9 March 1950, 13, 21; Mrs. Fred Pfaus, "The Indians of the Old Dominion," in "Our Debt to Virginia Indians" (no information on publisher, 1949), 16.

Every other nationality in the state of Virginia has the privilege of higher education—only the Indians are denied this, their just right. Can any fair-minded American feel that this treatment of the descendents of the original Virginians is just, in this “Land of the free and the home of the brave”?⁸⁸

Pfaus seems to make a comparison here to the segregated schools for black as well as white Virginians, though the word “nationality” instead of “race” seems a very careful choice of words. Then, too, Pfaus was echoing an argument that tidewater Indians had been making for decades, positioning themselves as integral parts of Virginia’s history. She made the point that some of the students at Samaria were former soldiers, calling Indians “the original American” as well as “original Virginians,” and thus connecting them to national as well as State narratives of patriotic service. It could be that Pfaus was influenced by an awareness of how America’s segregation looked to the rest of the world after World War II (an awareness that became embedded in some strategies of the cold-war civil rights movement). She went further than the *Religious Herald* piece, also, in detailing the extent to which the Samaria school needed volunteer support for fundamental school needs, when she reported that “Five years ago, a fund was created by friends of the Indians to help in their education.” That fund was used to help two teachers with furnishings, and to purchase basic school lunch room equipment. A white “patron” had even purchased the school bus used by Samaria students.⁸⁹

Pfaus’ act of advocacy for education here was in keeping with decades of involvement by Indian churches in separate public Indian school facilities. In another example of how church connections may have worked, the principal of the reservation school in the late 1950s and through the 1963-64 school year was a white man named

⁸⁸ Mrs. Fred Pfaus, “The Indians of the Old Dominion,” in “Our Debt to Virginia Indians,” 6-7, 8.

⁸⁹ *Ibid.*, 7, 12-13.

Daniel Slabey, whose father had been the first pastor of the Slovak Baptist Church, a member church of the Dover Association.⁹⁰ Daniel Slabey had been “presented” to the Dover Association annual sessions in 1928, the same meeting at which R. A. Bradby had spoken about the situation of Virginia Indians.⁹¹ Possibly this Baptist connection was significant in leading Slabey to the reservation school later in his life; he did maintain connections to the Dover Association and its Indian churches. In 1965, he published a piece about the “First Indian Baptist Church in Virginia” in the newsletter for Virginia Baptists, and he also wrote that he was “assisting the Pamunkey people in preparing for the celebration of the 100th anniversary of the founding of their church.”⁹²

White Virginia Baptists supported a number of educational institutions in the state, from the University of Richmond and Averett College to the Fork Union and Hargrave Military Academies. Members of tidewater Indian Baptist churches heard regular reports on those institutions through the minutes of the Dover Baptist Association if not in other places. It appears, though, that only one of those Virginia schools, Oak Hill Academy, a Baptist “home mission” school in the western part of the state, accepted students from the tidewater Indian groups, and this connection may have dated only from

⁹⁰ Annual High School Reports for Mattaponi-Pamunkey Indian Reservation school, 1957-58 through 1963-64, Series 1, Box 1, Folder 2, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219; Virginia Historical Records Survey Project, Division of Professional and Service Projects, Works Projects Administration, *Inventory of the Church Archives of Virginia: Dover Baptist Association*, 36.

⁹¹ Rev. W. Thorburn Clark, “The Dover,” *Religious Herald*, 9 August 1928, 3.

⁹² Daniel Slabey, “First Indian Baptist Church in Virginia,” *Religious Herald*, 2 September 1965, and Daniel Slabey to Henry M. Hambrecht, Jr., 12 May 1965,” Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

the mid-1950s.⁹³ Given the fact that some tidewater Indians struggled long and hard to find ways for their community's children to get high-school educations, boarding schools in Virginia that received Baptist support and offered secondary-school work might have seemed an obvious solution to a pressing problem. Perhaps outside the Dover Baptist Association, Virginia's other white Baptists were more likely to regard these tidewater Natives as "colored" rather than Indian.

Perhaps, though, an additional factor in prompting tidewater Indian parents to send their children to specifically Indian schools, despite the distances involved, was the idea that acceptance at Indian institutions like Bacone would bolster their children's and their community's credentials as "real" Indians. When the Mattaponi leader O.T. Custalow, in the midst of working to "help keep my young people satisfied to stay on the Reservation," made a visit to the tidewater students at the Cherokee, North Carolina, school, he took advantage of this opportunity to assert dramatically his Indianness before a federally-recognized tribe. He reported that one of the students wrote to him afterwards that "...all the Indians next day wanted to know who that Indian Chief was, I wore my full regalia." Custalow also spoke before Baptist audiences in North Carolina on this trip, which testifies again to the intertwined nature of the connections of Baptist churches and schools among the organized tidewater Native groups.⁹⁴ It also shows that, as in the late nineteenth century, pan-Indian "regalia" remained part of strategies for representing tidewater Native identities.

⁹³ See, for example, "Indian Education Account 1955-56," Series 1, Box 1, Folder 7, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

⁹⁴ Chief O. T. Custalow to Gerald Bosch, 9 February 1953, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

Asserting those identities required continual vigilance, as exemplified in an exchange between a Virginia teacher and Walter Plecker in the summer of 1945. The teacher had requested general information about “the educational program of the Virginia Indian.” Walter Plecker framed his response as a discussion not about Indians, but about “the educational program for groups of mulattoes living on two reservations in King William County.” Reflecting his renewed dogmatism compared to his occasional flexibilities before 1924, Plecker recited the argument that not even the reservation Mattaponi and Pamunkey could be considered “real” Indians because of a long history of “intermixture with whites and negroes,” and he asserted yet again that his office’s investigation of official nineteenth-century documentation supported his contention when it classified families in question as “free negroes” and “colored.” Plecker also expressed pique about Virginia’s 1930 legislation (the law that classified anyone with “any ascertainable degree of negro blood” as a “colored person”) in describing its provision to the effect that

those living on the reservations with one-fourth or more Indian blood and less than one-sixteenth negro blood shall be deemed tribal Indians so long as they are domiciled on said reservations. When they leave the reservation, they take their proper classification as colored. The Department of Education, however, seems to treat them as deserving of special consideration and furnishes them with industrial education which is not furnished to the other negro schools of the state or to the white schools.⁹⁵

Possibly, Plecker’s suggestion that special privilege was extended at reservation schools was primarily a reference to the pottery school that had existed at Pamunkey. Thus,

⁹⁵ W. A. Plecker to State Board of Education 23 July 1945 (quoting Annie Belle Crowder’s post card) and W. A. Plecker to Annie Belle Crowder, 23 July 1945, Series 1, Box 1, Folder 13, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

Walter Plecker continued to use the smallest of opportunities to make his case against Virginian Indian identities throughout his long career at the Bureau of Vital Statistics, even in the arena of segregated schools.

The State Board of Education, though, could put a different face on the matter of whether the reservation people were “real” Indians, as shown in newspaper coverage in 1946 of the State’s effort to fill the position of teacher at the Mattaponi school. The State’s director of elementary education noted that the position was at a “‘modern’ one-room school” with a salary “above the State minimum” and he added to these selling points “the teaching experience would be stimulating from a sociological point of view and would furnish an opportunity for study of Indian culture.”⁹⁶ In a familiar pattern, white allies like Frank Speck and James Coates also advocated for greater support from federal officials for more educational opportunities for tidewater Indians, with Speck again vouching that they were “real” Indians.⁹⁷

Consistent with this level of acceptance by State education officials of tidewater Native groups’ Indianness, the connection to the Bacone school in Oklahoma seems to have solidified by, at least, the 1947-48 school year. A group of mostly Chickahominy students attended Bacone for high-school level classwork at that time. It may be that the peak of this Virginia-Oklahoma exchange for high-school age Native Virginians came by 1950-51.⁹⁸ Still, as late as 1954, even as the Samaria school program had expanded earlier, a state education official wrote to Bacone “As you know, we only offer

⁹⁶ “Lack of Teacher Is Keeping 22 Indians Out of School,” *Richmond Times-Dispatch*, 12 November 1946.

⁹⁷ Rountree, *Pocahontas’s People*, 236.

⁹⁸ See, for example, copies of Annual Catalogue of Bacone College for 1948-49 and 1951-52, with registers of students for the 1947-48 and 1950-51 school years, respectively, in Series 1, Box 1, Folder 4, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

educational opportunities through grade eight at our Indian Reservation School because of the small enrollment. Thus we must locate high schools outside of the State...” for reservation students.⁹⁹ Tidewater Indian students, as noted, also went to school on the North Carolina Cherokee reservation.

Some students expressed interest in the Haskell Institute, in Kansas, as well. Haskell’s superintendent informed a Virginia state education official that “All students must be of one-fourth or more degree of Indian blood.”¹⁰⁰ It is easy to imagine tidewater Native people contemplating how to provide adequate evidence of such a “degree of Indian blood” and being exasperated by a requirement couched in the kind of precise-sounding “blood-quantum” language that Virginia law and Walter Plecker also used, as well as being hopeful that going to a school like Haskell would make their children’s Indian identity unimpeachable.

In either case, the fact that Indian students left the state to attend high school shows that separate-but-unequal was the rule for red as well as black schools into the 1950s. Probably, in the eyes of State school officials, the situation was so combustible that the possibilities of a formal policy of sending reservation Indian high-school-age children to local white or black public schools seemed out of reach, before the United States Supreme Court sent down the *Brown v. Board* decision in May, 1954.

⁹⁹ G.F. Poteet to Roger William Getz, 10 February 1954, Series 1, Box 1, Folder 5, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹⁰⁰ Solon G. Ayers to Gerald Bosch, 16 June 1953, Series 1, Box 1, Folder 16, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and G. F. Poteet to Solon G. Ayers, 10 February 1954, Series 1, Box 1, Folder 16, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

At least one state school official expressed his impression that some reservation people were so imbued with the racialized etiquette of Jim Crow that there was a question about whether African Americans should be “allowed” even to visit the reservation school. He said “Last year there were some touchy incidents since the Indian children refused to have anything to do with Negro visitors.” This episode could not have been as simple as that, as becomes apparent when this official goes on to admit that

On the other hand, Chief Custalow is realizing a fee of 25¢ per Negro student when they visit his museum. Someone is going to have to say no definitely to the Chief this year. Since this is a State school, it would seem to me that State laws would apply and if students and teachers refuse to talk and deal with the Negro youngsters, they should not be encouraged to visit that school.¹⁰¹

At best, this State official was disregarding a recognized community leader’s position in order to support others in the community whose position on “race relations” was consistent with his own ideas about the observance of Jim Crow power relationships. He suggested that state support should, in effect, buy segregation on the reservation. It is also possible that the “students and teachers” in question told this official a story they thought he would accept because it was in line with his ideas about race, in an effort to re-emphasize their “separation” from African Americans and therefore their Indianness.

One feature of such visits to the reservation school by outsiders could be a kind of pageantry reminiscent of the public dramas enacted by tidewater Native communities as early as the 1880s. In 1955, a teacher at the reservation school wrote to a state official about what was probably a busy week of programs for scheduled “visitors.” “On Tuesday we had a load from King and Queen [County]—third grade children.” Then on

¹⁰¹ Gerald Bosch to Davis Y. Paschall, 18 August 1953, Series 1, Box 1, Folder 7, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

Wednesday "...we had a nice group from Newport News. Chief Custalow came over and we put on a few dances, etc. The visitors seemed to enjoy the show."¹⁰² Chief Custalow's energy in representing the Indianness of the Mattaponi, in wearing "regalia" and in developing a museum, thus also extended to performances for visitors to the reservation.

Partial state funding for Virginia Indian high-school students at Bacone or Cherokee, or Oak Hill, always scanty, did not prevent tidewater Native parents in the late 1940s and into the 1950s from pressing for expansion of programs at the tidewater Indian schools to add more grades of high-school classwork for their children, and reduce the need to send younger children to far-away schools. How difficult leaving home could be is clear in 1952 correspondence between a State Board of Education official and the Rev. Harvey Custalow and Webster Custalow of the Mattaponi community. Two young Mattaponi women had fled the Cherokee, North Carolina, school, apparently because of a "poor relationship with their house mother." These two had expressed a preference for going to Bacone, but the State wrote back to say that the students should return to the Cherokee school if their parents approved, but that the State could not support sending them to Bacone. The power relationships in play here are evident, and the stresses on teenagers sent away from home and their families are here compounded by the paternalism of state officials.¹⁰³

¹⁰² Maggie F. Dickinson to Mr. Poteet, 13 May 1955, Series 1, Box 2, Folder 21, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹⁰³ Davis Y. Paschall to Rev. Harvey Custalow and Webster Custalow, 30 October 1952, Series 1, Box 1, Folder 8, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

As the reservation communities worked to provide high-school educations for their children at home, their efforts faced threats that were financial as well as racialized in nature. Challenges to the schools often cited small enrollment figures.¹⁰⁴ Unlike North Carolina's Lumbee people, who had had a thriving Indian school system in Robeson County for decades, the tidewater Native groups were each rather small to seem, in the eyes of white officials, like viable candidates for publicly-funded separate schools, at a time when the national trend toward consolidation of small rural schools was well established.¹⁰⁵

Virginia's local and state educational bureaucracies probably would have been relatively stingy in their support for the Indian schools even had these segregated schools had larger enrollment, given the racialized climate in Virginia that was also exemplified by chronic underfunding of schools for Virginia's African Americans. Added to this was the skepticism and outright hostility of some white Virginians about tidewater Native groups' claims to Indian identities. Thus there was a continuing need for non-Indian "patrons" in addition to the Baptists. By the early 1950s, the Society of Friends joined in efforts by volunteer "patrons" to help Indian School programming in a small way. This was another sign that State and local support was manifestly inadequate, and it perhaps foreshadowed the Quaker awareness that led to the aid Friends offered some years later to

¹⁰⁴ Even a "friend" noted, for example, that in 1948, the Pamunkey school had five pupils. In 1949, the Mattaponi school served twenty-two students, and Tsenacomoco seventeen. See Mrs. Fred Pfaus, "The Indians of the Old Dominion," in "Our Debt to Virginia Indians," 10, 12, 14.

¹⁰⁵ In the South, of course, modernizing trends in education were ravaged by segregation. Until the 1920s, there were few high schools for blacks in the Jim Crow South. Even in the mid-1930s, when about half of southern whites between the ages of fourteen and seventeen attended high school, regionwide the average for African American in that age group was "less than 20 percent." See Jennifer Ritterhouse, *Growing Up Jim Crow: How Black and White Southern Children Learned Race* (Chapel Hill: University of North Carolina Press, 2006), 183.

African Americans from Prince Edward County, Virginia, when that county closed its public school system to avoid desegregation between 1959 and 1964.¹⁰⁶

In 1950, at least partly in response to lobbying by the State Department of Education, and probably in recognition that those pressures would continue given levels of enrollment within their small communities, the reservation Mattaponi and Pamunkey voted to consolidate their two schools into one, and some additional state and private investment was forthcoming for the joint program, which was extended to the eighth grade.¹⁰⁷ Because for a time the secondary program at Samaria School was more expansive than that at the reservation school, some reservation students attended Samaria, and the state in at least one case assisted with a reservation student's room and board there, since the reservations were far enough from Samaria to make a daily commute arduous.¹⁰⁸ In this way, the schools again proved a vehicle for connections among the tidewater groups, as they had in past decades. Handwritten notes written around 1956 indicate that within the state Board of Education that consideration of further consolidation was ongoing. Samaria School enrollment was comparatively high, and at

¹⁰⁶ "Report of Indian Education Fund 1951-52," Series 1, Box 1, Folder 7, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹⁰⁷ The Library of Virginia, "A Guide to Department of Education R. G. 27 Indian School Files, 1936-1967," and text of speech delivered at June 12, 1959 graduation ceremony at Mattaponi-Pamunkey Reservation School, Series 1, Box 1, Folder 14. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹⁰⁸ G. F. Poteet to Mrs. Anita Emery, 20 October 1955, Series 1, Box 2, Folder 9, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and G. F. Poteet to Glenn Brands, 11 October 1955, Series 1, Box 2, Folder 9, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

the time it offered a program through the tenth grade, so the notion of sending the eighth and ninth graders from the reservation school to Samaria was entertained.¹⁰⁹

The state Board of Education thus accepted that tidewater Indian parents and communities did not want to send their children to African American schools, but continued to question the viability of separate Indian schools even as the reservation communities pushed for more support. By 1956, of course, the whole question of segregated schools had shifted because of the 1954 *Brown v. Board* decision, but change came slowly to the reservation schools. In 1957, a state official reported that the “Executive Committee of the Mattaponi-Pamunkey Indian Reservation” said that for the present term they would accept a program that extended only to the tenth grade, but that they looked forward to the eleventh grade being added soon, and were “much concerned about the accreditation of the school.”¹¹⁰ The joint reservation school added the twelfth grade in 1958-59. It may be that at that point the state also ceased defraying expenses for reservation children to attend out-of-state high school programs.¹¹¹

Despite this, in 1960, Board of Education officials were again discussing the viability of the reservation school, in the face of what they identified as a trend of declining enrollments. One of those officials reported his opinion that, given that few of the school’s graduates went to college, and given what he conceived as the “desires,

¹⁰⁹ “Data on the Samaria School,” Series 1, Box 2, Folder 9, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹¹⁰ Alfred S. Curtis to G.F. Poteet, 12 August 1957, Series 1, Box 2, Folder 10, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹¹¹ “Indian Education Fund Budget” for 1956-58 biennium, and “Indian Education Fund, 1958-59,” Series 1, Box 1, Folder 7, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

interests, capacities, attitudes and characteristics of the Indian students,” the fact that the high-school curriculum was “limited almost entirely to the traditional academic subject matter fields” raised questions about the “suitability of the present curriculum.” He said that some parents had asked about including more secretarial and vocational subjects in the high school program, but noted that one man, Dr. Slabey, was doing all the high-school level teaching and would be hard pressed to add new classes to the curriculum. Perhaps this official’s point of view becomes most clear when he remarked that “Some few parents have high hopes for their children, others do not care in the least about the school or what happens to their sons or daughters.” It is hard to imagine this man making a comparable blanket statement, in 1960, about a group of white parents, while it is entirely probable that reservation parents’ desires for their children differed from his expectations. Still, his words seem to contradict statements by community leaders urging expansion and accreditation just a few years before. This official’s proposal was to keep the elementary school program at the reservation school while “the high school students should be provided for elsewhere.” He cited as justification not only costs but also the need of reservation students for “outside contacts as well as broader educational opportunities than we are able to provide under the circumstances.” It is not clear what “elsewhere” might mean, but probably by this time the likely alternative was the local county schools, rather than the boarding schools such as Bacone.¹¹²

It seems that while these schools operated, their values and importance for fostering Native identities derived from the fact that they were major community

¹¹²G. L. Quirk to Dr. Davis Y. Paschall, 2 June 1960, Series 1, Box 2, Folder 19, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

institutions specifically for the tidewater Indian groups, not from any significant effort to build a curriculum that stressed Native histories or cultures. Some proposals for teaching pan-Indian kinds of craft production arose, probably mostly because of interest in adult education for creation and marketing of salable items in addition to the pottery produced at the Pamunkey reservation. There was discussion among State education officials about “a proposed project in basketry, leatherwork, and metal work,” and of the need for “industrial arts” equipment and teachers.¹¹³ In response to a proposal advocated by a white Quaker and some state education officials, one state education official familiar with the adult Pamunkey pottery school opined that

... pottery making ought to be retained on the reservations since this art apparently goes back to pre-colonial days. I believe the Indians should keep alive their skill at pottery making for many reasons but certainly for the reason that it represents an activity from which they can realize a profit. I...believe that making baskets and weaving ought to be encouraged. But not at the expense of pottery.¹¹⁴

Possibly this notion of expanding training in pan-Indian craft styles was an initiative more dear to certain whites than to the reservation communities, judging from a response by the Pamunkey leader T. D. Cook to a state official’s query. Chief Cook politely indicated that

¹¹³ Gerald Bosch to Davis Y. Paschall, 18 August 1953, Series 1, Box 1, Folder 7, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and Mr. Paschall to Dr. Bosch, 21 October 1952, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and Davis Y. Paschall to Gerald Bosch and Luther McRae, 3 November 1952, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹¹⁴ Gerald Bosch to Mr. Paschall, 14 October 1952, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and Dr. Bosch to Davis Y. Paschall, 23 December 1952, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

a few of our people, mostly those engaged in the making of pottery, are apparently interested in the crafts which you mentioned in your letter... I too, feel that it would be well to plan a meeting in the near future where the members of both reservations might be able to express themselves.”¹¹⁵

It appears that around 1939-40, some “Indian crafts” were taught in the Mattaponi school by white teachers.¹¹⁶ Presumably, this means the instruction had a pan-Indian cast. For the most part, though the reservation school program for children, while severely limited in facilities, staff, and funding, seems to have adhered to a basic framework of courses along the standard lines for Virginia schools.¹¹⁷

Even with relatively little emphasis on generically “Indian” varieties of material culture, on many sides of the school effort there seems to have been pronounced consciousness of Indian identity. For an essay written on the occasion of her graduation from the reservation school in 1960, Dorothy Page chose the topic “Indian Women Then and Now.” While her basic message was how similar were many aspects of the life, work, and foodways of a contemporary Indian woman to those of “her white sister,” Page was clear that these similarities did not amount to a loss of the cultural distinctiveness of the reservation communities. She noted the distinctive pottery and beaded jewelry made

¹¹⁵ T. D. Cook to Gerald Bosch, 19 January 1953, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219, and Gerald Bosch to Chief T. D. Cook, 29 December 1952, Series 1, Box 1, Folder 15, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹¹⁶ Rountree, *Pocahontas's People*, 230.

¹¹⁷ See, for example. “Schedule of Classes/Mattaponi-Pamunkey Indian Reservations School, 1958-59,” , Series 1, Box 2, Folder 10, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

on the reservation and sold to “tourists” curious about Indian life, along with the ordinary church and Missionary Society work of reservation women.¹¹⁸

Page’s classmate Joyce Bradby chose Pocahontas as her essay’s subject. Like generations of reservation adults before her, Bradby used the image of Pocahontas to link tidewater Natives to the Jamestown story and therefore to a foundational story of national origins. She referred to Pocahontas’ kindness to the English at Jamestown, she but also noted that Pocahontas was repaid by treachery when the English “returned their gratitude by capturing her in hopes that Powhatan would release some prisoners of the colony.” Bradby’s confidence in her community’s Indian identity seems clear when, where she might have emphasized that reservation life had distinctive aspects, she felt it important to mention a popular stereotype of Indianness that did not apply to her community’s history: “The Eastern Indians did not live in tepees.”¹¹⁹

In 1966, Catherine Howell Hook of the Fredericksburg area, who was then on the State Board of Education, delivered a commencement address that emphasized her awareness and appreciation of the reservation communities’ “genuine pride in your ancestors, your traditions, your way of life, your independence and the perpetuation of your ideals and aspirations for your people.” Hook mentioned talking with community members at a Fredericksburg market or festival “when you displayed your lovely pottery,

¹¹⁸ Dorothy Page, “Indian Women Then and Now,” Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹¹⁹ Joyce Bradby, “Pocahontas.” Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

weaving and other crafts and tribal dances,” and named not only Pocahontas but also a later seventeenth-century Pamunkey leader whom she called “Queen Anne.”¹²⁰

White consciousness of separate Indian identity could easily move from condescension to overt stereotyping, as exemplified in a commencement address by a state education department official in 1962. He expressed gratitude for the “privilege” of working with community leaders and then jocularly said “We didn’t always agree but I managed to come away with my scalp intact although at times I had grave doubts about doing so.”¹²¹

Disagreements continued. A state official corresponding with Hook in 1966 alerted her “incidentally” that the Department of Education was considering

discontinuing the Indian Reservations School at the end of the current school year. All students could be transferred to the nearby King William County Schools. A final decision has not been reached. Of course, the Indian people are not in complete agreement with this action.¹²²

By this time, the State’s interest in the economies to be gained in dismantling a hard-won community-building institution had been overtaken by national trends. At this moment, in contrast to the 1960 correspondence cited above, the matter of where the Indian students might go if the reservation school closed had a ready, explicitly integrationist answer. As the long-term impact of the *Brown v. Board* decision played out, by 1966-1967, Virginia’s public schools that served Indian students were no longer legally or

¹²⁰ Catherine Howell Hook, Commencement Address for May 31, 1966,” Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹²¹ G. L. Quirk, Commencement Address for June 8, 1962, Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹²² Henry M. Hambrecht, Jr., to Mrs. Catherine Hook, 20 May 1966, Series 1, Box 1, Folder 14, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

officially racially segregated institutions. The reservation school closed in 1966 and the Chickahominy lost their formal tribal connection to Samaria as a school in 1967. Helen Rountree has reported simply that

Then, in 1971, the federal judge in Richmond readjusted the proportions of school children in the county: Samaria School became predominantly black, as is Charles City County's population. The tribe considered setting up its own academy and applying for funds under federal legislation for Indian education in order to get another school, but nothing was done in the end.¹²³

Thus, the segregated Indian schools came to an end, finally, after decades of being threatened because of small enrollments and the State's stinginess in supporting them, as a result of changes in national policies and politics designed to promote greater social justice. After the *Brown v. Board* decision, organized tidewater Native peoples did not set up private segregated "academies," a tactic used by white Virginians to avoid school desegregation, but they continued to insist upon their cultural separateness from African-American neighbors. While tidewater Natives' position was different in major ways from that of whites opposed to school integration, it seems fair to keep in mind the racist impulses that would have been part of the history for any separate Indian "academies" in this part of the South. It is also fair to keep in mind that community-building often involves institutions that are separate in some sense, and that there for African Americans, the integration of public schools has not been without some costs (if also undoubted improvements in other areas.)

In the aftermath of the "racial integrity" legislative battles of the 1920s, then, tidewater Native groups into the 1950s continued some of the tactics and strategies they

¹²³ Rountree, *Pocahontas's People*, 242.

had developed before 1924. They remained, this chapter argues, enmeshed in the racist ideas of the time as they contended with the Census Bureau, the wartime draft, and school desegregation. In the areas of census enumeration in 1930 and 1940, and the draft of World War II, they fought renewed battles against federal as well as state policies that were based in assumptions about “race” as a white-black binary. Even as the census allowed for categorization of, and sought information about, non-reservation people as Indians, federal officials articulated practices for enumerators that argued for differential treatment of Indians with African-American “blood” and for vigilance against those who might try to “pass” as Indian rather than black or Mexican

Within the state, individual white Virginians’ reactions to the aftermath of the 1920s legislative battles could be mixed, but even “friends” of the Virginia Indians seem generally not to have strayed far from southern whites’ ideas about the preservation of racialized segregation. Walter Plecker continued his efforts to purge and head off any form of official recognition of Indian identities in Virginia up to his retirement in 1946. White Dover Association Baptists and State education officials could oppose Plecker’s crusade, but they did not seriously question the need for racialized institutional segregation through the 1950s, even when they argued for a special position for tidewater Indians relative to the “color line.”

As in years before 1930, tidewater organized Native groups made use of white “friends” and patrons who engaged in their battle to assert Indian identities by helping them assert the “purity” of their Indian “blood.” For example, James R. Coates, an ally of tidewater Indians in several areas, seemingly wanted to help distinguish Virginia Indians from African Americans, not to alter the power relations entailed in southern ra

segregation. In the aftermath of the World War II fight about the draft, Coates encouraged the development of tribal rolls and collection of other documents evidencing past recognition of tidewater Native peoples as Indians. He solicited information from Native groups and testimonials from white neighbors about the Indianness of those groups. Coates intended to use this material as part of a campaign for tidewater Natives' "official recognition and proper classification as native Virginia Indians," a campaign aimed at "the State or Federal Government." In planning this campaign, Coates urged leaders of tidewater Indian groups to exercise vigilance so as not to include anyone on a list of tribal members whose identity might undermine tribal claims to be separate from African Americans. Indeed, Coates' advocacy to some extent seems to have been grounded in the idea that it was outrageously demeaning to tidewater Indians to categorize them with "colored" people. Coates' papers include a form letter that he sent to "each chief" around early 1947, asking for a comprehensive listing, to be developed by a tribal committee constituted for this purpose,

...of all persons who are members of your tribe in good standing. Do not include any one who is not entitled to the strict classification of Indian. ...I urge you to prepare this list without undue delay and with the greatest of care to see that no one rightfully entitled to the distinction of being on the list is omitted, and to be sure that no one, under any circumstances, be permitted to appear on the list whose good standing and blood relation is other than pure Indian or Indian and white.¹²⁴

¹²⁴ Copy of form letter attached to handwritten "Inter Office Information" note, from "Jim" to "Ken," 14 January 1947, James R. Coates Collection, Records Concerning the Ancestry of Indians in Virginia, 1833-1947. Accession 31577, The Library of Virginia, Richmond, Virginia 23219.

Coates here expressed recognition that “You people know who in your tribe is entitled to the distinction of being members in good standing.” Thus, while relying on community leaders to do the classifying for this effort, he also emphasized the necessity of applying a standard very familiar to the organized groups: “mixed” people of Indian-white ancestry or identity could be in “good standing.” Mixed people with African American ancestry or identity could not.

After 1930, as this chapter has shown, tidewater Native groups continued to develop and maintain separate churches and schools as segregated Indian institutions, thus maintaining relationships with education officials in the state capital, as well as with the white Baptist organizational framework that linked them ultimately to the Southern Baptist Convention. Both schools and churches bolstered their claims to being peoples racially and socially separate from their African American neighbors. While members of Indian churches may have been less prominent in Dover and State association affairs in the late 1930s and 1940s, their church connections still served them in pushing for support for their schools. They continued to manage their own churches and contribute to mainstream white Baptist efforts after the Indian schools were a thing of the past.

Even when the Indian schools were dismantled in the long aftermath of *Brown v. Board*, the school buildings, in fact, could provide havens for community activities. Within a few years of the consolidation of the reservation schools, the Pamunkey reached agreement with the state that they would use the vacant school building “for purposes of

displaying and selling ceramic and other types of handicraft work made by adults living on the Reservation.”¹²⁵

Expressive gestures and occasions for the cultural display of Indianness, like the selling of pottery and the annual “tribute” to Virginia’s governor, remained important in the years after 1930. While the exact form of the traveling dance-and-reenactment pageantry of the late nineteenth century and the years around the 1907 Jamestown exposition may not have survived into the 1920s and 1930s, “dances” continued, at least on the reservations themselves.

The establishment of a formal Pamunkey pottery school in the 1930s, with State support, was a new strategy for public presentation of Indianness that might also bring in cash in those Depression years.¹²⁶ Compared to earlier efforts to sell pottery, it had the advantages of an organized effort that reached tourists on reservation ground.

In the 1950s, O. T. Custalow’s establishment of a museum at the Mattaponi reservation also marks a strategic effort to draw from the increased tourism of the post-World-War-II era. Similarly, the emergence of annual Western Chickahominy fall festival in 1951 took advantage of greater opportunities after the war for presenting “Indianness” to touristic non-Natives and to other Native groups. This event, which continues to the present time, taps into the popularity of the pow-wow as a pan-Indian phenomenon, not only for general audiences but also as a time and place for building and

¹²⁵ G. L. Quirk to Chief T. D. Cook, 8 October 1958, Series 1, Box 1, Folder 1, Virginia Dept. of Education, Indian School Files, 1936-1967. Accession 29632. State Government Records Collection, The Library of Virginia, Richmond, Virginia 23219.

¹²⁶ Theodore Stern, “Pamunkey Pottery Making,” *Southern Indian Studies*, 3 (1950): 59-60.

maintaining inter-tribal connections.¹²⁷ The growth of tourism in the post-war years meant that such presentations and representations might more easily be staged in or near Indian communities, at school and other reservation facilities, rather than as traveling shows, and it also meant that there were some new ways of bringing Native people together, even across tribal lines, and in pan-Indian ways. In some ways, such efforts established footings for the kinds of activism that emerged among tidewater Indian groups in the wake of the modern civil-rights movement-- even as the “all-deliberate-speed” desegregation of public schools, decreed by the Supreme Court in 1955, which also resulted from that movement, destroyed the Indian schools as one pillar of tidewater Indian identity.

In 1954, the year of the *Brown v. Board* decision, the state legislature again changed the legal definition of Indianness, broadening it so that it could embrace more non-reservation people. The new law did, though, continue the practice of defining Indianness, as a legal matter, with blood-quantum fractions.¹²⁸ In that way, like the separate Indian churches and schools and tribal organizations, it was not a radical departure from previous racialized efforts to define Indian communities. Later, the opportunities opened by the various forms of activism of the late 1960s and 1970s changed some things, but that is another story, outside the scope of this project.

¹²⁷ Rountree, *Pocahontas's People*, 239-240.

¹²⁸ Rountree, *Pocahontas's People*, 239.

Conclusion

In August, 2008, the *New York Times* reported that a Democratic party leader in Georgia, Jane Kidd, had commented that Barack Obama (then the presumed Democratic party candidate in the November presidential election) had “a good deal more work to do to win over Clinton supporters as well as white voters who are loath to support a black candidate.” She explained whites’ reservations about Obama’s identity as a “black” man this way: “In rural parts of Georgia and the South, there is still some fear about people who look different from themselves.”¹ In this way, Kidd was operating within a long-lived American narrative that treats “race” as if racialized “differences” were not only natural and inevitable, but also manifest themselves in incontrovertible, clear “facts” of physical appearance. “Race” in America as a biologized phenomenon retains its power as a mechanism to explain and justify the idea that one can (or at least should be able to) define and recognize racialized “difference” on first sight, just by looking. This Georgia politician’s comments imply that participation in a community, personal declaration of identity, and the racialized identities of parents, are all beside the point, which is the idea that “race” is immediately apparent and manifest in a set of physical characteristics that have historically been chosen by whites as markers of “race.” Moble Hopson could have told her differently.

Kidd’s remarks as quoted also implied that white reactions are a “normal” understandable reaction to the fact of someone looking “different,” rather than acknowledging that how white Americans see such “difference” is the result of a long

¹ Patrick Healy, “Seeing Tougher Race, Allies Ask Obama to Make ‘Hope’ Specific” *The New York Times*, 17 August 2008, Washington edition.

history of cultural, social, economic, and political work to construct “race” as a black-white binary divide made to seem normal and “natural” rather than human-made. This dissertation has explored, for one small corner of the Jim Crow South, some of the tensions and contradictions inherent in efforts to make this human-made construct seem natural, even genetic, and therefore manifest to anyone with eyes. Instead, the story of Native tidewater people illustrates how “race” has been a social, cultural, political and economic formation designed to serve specific historical ends.

For Native Americans, race and ethnicity are even more tangled concepts than they are for many other Americans. Some scholars argue that in Native identities today “...tribal affiliation is the litmus test for the validity of claims to American Indian ethnicity.”² Historically, the “mixed breed” or “half breed” label has complicated the defining of tribalized Native identities in the United States. More recently the emergence of so-called “new age” people claiming Indian identities (in the absence of certain kinds of evidence of such affiliation) has engendered concerns of some urgency in the eyes of some Native communities and individuals.

Such discussions raise questions about whether non-Indians today can make meaningful commentaries about how to recognize Indian identities. Documenting long, continuous histories of tribal affiliation is often emphasized in mainstream discussions. That kind of continuity can be particularly challenging to document for some eastern groups whose past includes centuries of demographic change, geographical movement

² C. Matthew Snipp, “American Indians: Clues to the Future of Other Racial Groups,” in Joel Perlmann and Mary C. Waters, eds., *The New Race Question: How the Census Counts Multiracial Individuals* in Introduction by the editors (New York: Russell Sage Foundation and Levy Economics Institute of Bard College, 2002), 202-203.

and displacement, and suppression by federal and state governments of various means of maintaining tribal identities, economies and communities. Tribal affiliation obviously connects to important issues about the kinds of community participation and reciprocity, and cultural knowledge, that are meaningful indicators of Indianness for many Native people. At the same time, the very concept of the “tribe,” as many scholars have pointed out, has been invented and imposed in historic times. It can be misleading when it is used to suggest that Native political and social groupings and organization are more static than, historically, has been the case. It is also misleading when it is used to lend an aura of stability and legitimacy to political groupings that may relate more to white perceptions and administrative needs than to Indian social, political and cultural structures.

For non-reservation tidewater Virginia Indian groups after the Civil War, though, because the concept of the “tribe” was widely accepted by whites, it was therefore a useful tool for building and maintaining Indian identities. As a result, tidewater Natives created some major formal tribal organizations as the twentieth century progressed. Because those tribal organizations developed in the presence of the larger society’s racialized social, legal, and political restrictions and systems of belief and thought, those restrictions and systems were among the factors that shaped the scope and meaning of membership in tribal organizations. In the post-emancipation climate as Jim Crow developed, tribal organizations in some cases forbade members to marry African Americans. Non-reservation groups might shape their membership rolls around individuals whose appearance was credibly “Indian” in white eyes. Some who had claims to being Indian based in kinship or community associations were excluded from

membership because they looked “black,” and some families divided along this “color line.”

Meanwhile, some white officials at state, federal and local levels regarded claims of Indian identity in tidewater as a mere ploy to evade the restrictions of the Jim-Crow South. Some of them asserted that Virginia’s tidewater Indians were “really” African American and were merely claiming Indianness in search of a way ultimately to “pass” into whiteness. People like Walter Plecker constructed such “passing” as a dire threat to the survival of the white “race.” Thus, the stories of construction of Native identities in tidewater Virginia has been complicated by the juxtaposition of a “one drop” notion of what makes someone African American with the “blood quantum” treatment of Indian (and, historically African American) identities .

Given the powerful constraining systems of segregation, Native people in the tidewater faced material realities that were overwhelming, by using a variety of strategies. They were creative and persistent, as well as constrained and influenced by what Grace Elizabeth Hale calls the “culture of segregation.” They built tribal and other organizations that in some ways depended upon tacit and sometimes overt acceptance of the racialized systems that justified and constructed segregation and “race.” To some extent, with those separate organizations, tidewater Indians did carve out a third place for themselves in Virginia that was neither black nor white. The schools, however, were generally marginally funded and maintained through endless effort. The tidewater Indian churches were under the wing of the white-led Baptist regional association. As a result, one could argue that both churches and schools were somewhat compromised as a space in which to be “red” rather than black or white. Perhaps, the Indian churches’ position

within the white Baptist hierarchy was an anomaly tolerated by whites because of their relatively small size, because of white Virginians' attachment to a narrative of Virginia history that connected seventeenth-century Powhatan peoples to a narrative of national origins at Jamestown, and because the Indian members of those churches did not fundamentally contest the fundamental arguments for racialized segregation.

Another set of strategies that did take tidewater Natives into arenas other than segregation was their use of public performance of various types—drama, dance, crafts, for example—to connect themselves to pan-Indian contexts and to the history of Powhatan participation in English colonial history as a narrative of national origins.

Whites who attempted to deny and destroy tidewater Native identities on the basis that all had some black “blood” did not always or ultimately succeed, but the price demanded of tidewater Indians was their acquiescence in racialized systems of thought and government, and the denial that their pre-Reconstruction histories and communities had included African Americans. Even some allies among anthropologists and philanthropically minded white Virginians advised tidewater Native people how to deny that part of their history as a requirement for recognition as “real” Indians.

In this way, people whose existence and Indian identities could have been a more significant challenge to race constructed as a black-white binary in Virginia were, despite the eugenical fears of Walter Plecker and John Powell, less a crack than a patch in the edifice of segregation. They constructed distinctive identities in the Jim Crow era, but did not undermine the racialized structure of the larger society in which they lived. Their situation has changed in the wake of the modern civil rights movements, but that is another story.

When and if certain popular representations of race today suggest that “race” is not “real” if it can no longer be viewed as a natural, biological phenomenon, or that we are entering a “post-racial” age, it seems important to tell stories from the past about the “reality” of race as a set of changing power relationships and historical experiences that is deeply and extensively rooted in public phenomena as well as in private identities, and that must still be acknowledged as a matter of public policy and day-to-day living in the twenty-first century United States.

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