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May 13, 1992

TO: Dr. Horace Rice

FROM: Helen Rountree

IN RE: Assembling documents for a tribal recognition

member + genealogist for United Cherokee of VA
Advice I was asked to give [by VCI] after meetings
(plural) of the recognition committee

What people believe about themselves is what they "know," but "recognition" implies persuading others to share that belief. For recognition, especially by a governmental body, extensive documentation is necessary.

You have recently collected a massive amount of documents. I know from my own experience that when one does that, one loses the ability to see the forest for the trees. But it is the forest that you have to present to the people who will evaluate your group's eligibility for recognition. Specifically, you have got to show that your group WAS a group, a community of INTERACTING people, through time back to the first contact with Europeans (whenever that was). And since your group claims a specific tribal origin, you ought to show in your documents that that group has had that particular tribally-originating identity during all that time, at least in their own minds and preferably in the minds of outsiders. These requirements can be very difficult things to answer, given the limitations of the surviving historical records in Virginia. The Council on Indians members know about those limitations from their own experience, and that is why the criteria for recognition are flexible. But you have to come as close as you possibly can to meeting the demands.

You notice that I didn't mention trying to prove the survival of any "Indian" cultural practices. That's an interesting study, but it's irrelevant in tribal recognition cases here. Everyone's way of life has changed drastically in the past four centuries in Virginia, Indians included. People adapted or they didn't survive. And Indian communities were usually so small here that the Indian languages couldn't last, either (it takes a reasonably large, fairly self-sufficient community to preserve a language for more than a few generations, as the Filipinos and Vietnamese in Norfolk are finding out). So no one expects you to show that your group has any of these "old-timey" things. What you have to do instead is demonstrate that your group with its Indian identity has been precisely that through time. It requires the collecting skills of a historian and the analyzing skills of a sociologist or cultural anthropologist. Neither are that hard to learn, as I'm sure you already know.

One last caution, and then I'll get on with it. The arguments you present have to be based upon original sources, not summaries found in popularized books. The reasons are that you have to show you've really done your homework, and also that your documents have to be CHECKABLE by the people doing the evaluation for the Council. That is, we have to see precise enough references to county

records, etc. (if not xeroxed copies thereof, which would save us some running) that one or more of us can go over to the State Library, pull the microfilm copies of those records, find the relevant pages quickly, and check the wording of the text to see if it agrees with your interpretation.

For the earlier historic period, when documents can be sparse, you should show that when your group's ancestors met Europeans, the Europeans recorded that they were meeting Indians, preferably from the specific tribe your group is named for. That means identifying clearly when and where in Virginia your group's ancestors were living in villages (the Council's criterion about location) and then producing documents that say that literate Europeans who went there saw such a community. Logical places to find such references are:

- Travellers' accounts [most are now published]
- Diaries and letters by early settlers [various archives]
- Surveyors' reports (and diaries if they exist) [ditto]
- Early county deeds mentioning Indian lands as boundaries
- Early county records mentioning individual Indians
(IF you can tie those Indians in genealogically)
- 1790 First U.S. Census showing ancestors (tied in genealogically) living together

For the later historic period, when records are better but Indians were less readily recognizable culturally, you need to show two things: that the ancestors were living in a unique community and that they had an Indian identity, at least in their own minds. The community part may be complex, since your group is claiming membership across two or more centuries in seven or eight Virginia counties. That's a very broad area for which to show convincingly that your group was, in effect, one social community of people and hence one tribe.

I. To demonstrate the existence of a unique community:

A. Significant amount of in-marriage, especially during periods (like the Plecker years) when marriage out was hazardous or impossible so that people married "among their own"

- County Marriage Registers
- County Will Books
- (1853-1865) County Death Registers (relatives reporting)

B. More interaction (especially in important matters) with one another than with outsiders

- 1. Documents showing people living in one or more clumps
 - U.S. Censuses
 - Processioners' Reports (some counties had these)
 - Property Tax Books (usually listed along routes)
 - Deed Books (mentioning neighboring landowners)
- 2. Deeds of Trust: people going bond for each other
- 3. Marriage Bonds: people "standing up" with each other
- 4. Church rolls (tribal churches are even better)
- 5. Multi-family graveyards
- 6. Neighborhood (preferably tribal) school rolls

II. To demonstrate an Indian (preferably specifically tribal) identity through time:

[Note: multiple racial labels alone are not enough unless they include "Indian"; and looking "Indian" is not enough, either. We're talking IDENTITY here.]

A. Documents from among the people themselves:

Oral tradition (weak evidence when about distant times)
Old diaries or letters written by group members
Birth/marriage/death certificates showing Indian names
(often from Henry Wadsworth Longfellow) as
Christian names (popular among Powhatans after late
19th century)

B. Documents from among outsiders (whether they agreed or not)

Diaries and letters mentioning people claiming identity
County records saying "Indian" (among other labels)
Federal censuses saying "Indian" (among other labels)
Writings of scholars surveying surviving eastern Indian
groups: (all late 19th/20th century)
James Mooney [Mooney papers, Smithsonian]
William Harlen Gilbert [published 1948]
Brewton Berry [published 1961, 1978]
Calvin Beale [several published 1960s]
Receiving harassment from Plecker for claiming identity
Trouble with Draft Boards for claiming identity

As a last suggestion, which you may not need, I offer this: you should be presenting the Council's committee with a tremendous pile of documents. Organize the pile into separate segments (e.g., master genealogical chart; U.S. Census pages; county records county-by-county). Then write a summary of your arguments for recognition in about ten pages (double-spaced), citing the relevant segments as you go but not quoting them at length. For something like amount of in-marriage, present your statistics in the summary, and refer readers to the county marriage records for checking. The reason for doing it this way is predictable. Some of the evaluators may not have the time or analytical expertise to read all the documents and know whether you've interpreted them accurately; they may read only your summary. Others (and I will be one) will read EVERYTHING, but because of unfamiliarity with what you've collected, we will need the roadmap that the summary will provide. The summary will probably also be the dry run on, if not the final version of, the presentation eventually made to the legislature (that "flash" that Mr. Vasser spoke of).

I hope all this helps. You mentioned yesterday that you would like me to come out and look over what you have collected before you present it and make suggestions. I fear I cannot do that. I'm one of the evaluators in this recognition case, and helping in such a way to organize your presentation would be a conflict of interest. I'm sure you understand.

cc: Bobby Vasser, with permission to duplicate