

## NOTES—PITV’s Bill for Federal Recognition

**FINDING 1**—The term “White Oaker” refers to anyone living in the White Oak area of Stafford. It has never been synonymous with Indians because there were no Indians in that area after the 1660s.

**FINDING 6**—In July of 1666, the Council of Virginia ordered the attack on the Patawomecks and Dogues, but there is NO evidence the order was carried out. There is also no record of the Patawomeck Indian women and children being sold into slavery as a result of that alleged action. Nor is there documentation proving that Patawomeck Indian women and children were taken into English households. Perhaps they were, but without documentation one cannot state that as fact. Anthropologist Frank G. Speck, whom the petitioners quote in Finding #14, listed nine English/Indian wars between 1622 and 1722. His list included confrontations in 1656 and 1675, but none in 1666 (Speck, F. G. *Ethnology of the Powhatan Tribes*. New York: Museum of the America Indian, 1928, pp. 297-301).

**FINDING 7**—Dr. Helen C. Rountree, Ph.D., is of the opinion that when the Patawomecks left the Potomac Creek area, they may have merged with other tribal remnants at Portobago, but there is no documentary proof of this. The last time they appear in any colonial records is 1666.

**FINDING 8**—Finding #8 has NOTHING to do with the Patawomeck Indians. In 1692, Stafford County extended from south of Potomac Creek northward to what is now Washington, DC. There was no western boundary at that time and the county was defined as all that land that drained into the Potomac River. On May 11, 1692, some Stafford residents complained to the county court that the “upper parts of Stafford being dayley alarmed by ye Sight and Signe of Indians but whether Neighbours or Strange Indians unknowne.” The residents were concerned because the “Neighbouringe Indians” were bringing “Strange Indians to their Towne” who “Endeavour to fright ye Inhabitants of these parts.” The English feared they would suffer “wounding & fleaing” at the hands of the Indians who were “permitted to come to every mans house to Trade.” The petitioners asked that “Ten men with an Officer” be placed “above Occoquan with as many below it” in hopes the residents “may stande their Grounde with ye assistance of ye Militia” (Stafford County Deeds & Wills, 1689-1693, p. 253). The information cited in Finding #8 of this bill is drawn from the minutes of the Council of Virginia, but is only partially quoted. This entry records the request for payment for the above-mentioned militia detail. It reads, “David Strawhane Lt. ye Rangers for Potomacke being ordered by his Excellency...to certify to your honor ye time of service of my selfe and Eight men & two Indians belonging to Stafford and three men out of Rapahanocke in All humillitie Doth present that himself soldiers & Indians have served thus” (McIlwaine, H. R., ed. *Legislative Journals of the Council of Colonial Virginia*, vol. 3. Richmond, VA: Virginia State Library, 1919, p. 1508). While the old English grammar and spelling are somewhat confusing, it is clear from the May 1692 entry that the county residents were asking for a militia patrol “above Occoquan.” That was part of Stafford County; today it includes Prince William, Fairfax, and Fauquier counties. The entry pertaining to Lt. Strawhane notes that he was in charge of “Rangers for Potomacke;” in other words, he was doing militia duty in the Potomac River area. Below the payment request in the Council minutes is Strawhane’s detailed report of his “Ranging,” which spanned from June through September of 1692. He reported that he and his men had “Ranged up Ackoquane” and gone to “Pohike,” “Neabsco,” “Brent Town,” and “Ackotink” (*Ibid.*, 1508-1509). The entries from the county court records and the Council minutes are unrelated to the Patawomeck Indians. There were several different tribes that resided in the

northern Virginia region, traversed that region, and did business with their English neighbors, but the area over which Strawhane and his men “Ranged” was most certainly NOT occupied by the Patawomeck Indians. The “two Indians belonging to Stafford” were not identified as to tribe and could have been from anywhere. Please note that Finding #9 states that the Patawomecks had moved southeastward into the Northern Neck where they allegedly wandered for most of the 18<sup>th</sup> century, not north to the Occoquan River.

**FINDING 9**—There are no historical references to the Patawomecks after 1666. What became of them is unknown. There is no proof they were “moving as necessary.” Indian Town was occupied by the Nanzattico Tribe, and no primary source documents place the Patawomecks at Indian Town in the 1700s.

**FINDING 10**—The history of White Oak Primitive Baptist Church is very well known and documented. The church records, which begin in the late 18<sup>th</sup> century, are now held by the Baptist Historical Society in Richmond, Virginia. They contain NO references to Indians, much less to Indians using the church. White Oak Church was NEVER an Indian church. The petitioners assume, but fail to provide any genealogical proof, that the Newtons, Greens, Curtises, Jetts, and Monteiths actually descend from the Patawomeck Indians. In fact, a simple exploration of Findagrave and Ancestry yielded dozens of birth, marriage, death, and census records for members of those families who are interred at White Oak Church and every one was designated as white over the course of their lives. During the 20<sup>th</sup> century, Dr. E. Boyd Graves, Ph.D., Dr. H. Stewart Jones, Ph.D., and Dr. Carter L. Hudgins, Ph.D. were deeply involved with documenting the history of Stafford County. None of them acknowledged the existence of Indians in Stafford at that time.

**FINDING 11**—As has been established, the last mention of the Patawomecks in the historical records is in 1666. It’s not known how many of them were living in the Potomac Creek area by that time, but they left and never returned. Where is the documentation that they left, moved around the Northern Neck for a few generations, and then “coalesce(d)” back in White Oak in the early 1800s? That this never happened is clearly evident from the Stafford County quit rent rolls; the land and personal property tax records; the deed and will books; court record books; and estate accounts that survived the Civil War and are available for study.

**FINDING 13**—While vandalism and theft during the Civil War did result in the loss of some pre-war records in Stafford, the courthouse was not burned and various types of early court records survive. Those pertaining to this discussion date from Stafford’s creation in 1664 through the 1860s, the 200-year-long period that the wording of the bill suggests is nearly barren of records. In addition to these are the early records for Westmoreland, Old Richmond, and King George Counties in which the ancient Patawomeck Indian village sites were included at various times in history. Add to that the minutes of the House of Burgesses, the General Court, and the Virginia Council. There are also abundant 19<sup>th</sup> and 20<sup>th</sup> century records that utterly fail to support this group’s claims to being Indians. Contrary to what is claimed in Finding #13, fires and vandalism were not a significant problem. The insurmountable issue for the PITV is not the loss of records but, rather, the absence of references in these records to the Patawomecks after 1666 and before the current group was created in the mid-1990s.

**FINDING 14**—This quote is a fragment of the first paragraph of Frank G. Speck’s chapter on the RAPPAHANNOCK TRIBE, not the Patawomecks. It reads in its entirety, “The northern division of the Confederacy are represented by descendants on Potomac creek in King George county, also in Wicomico county and by a fairly large body scattered through parts of Essex and King and Queen counties. The latter living south of Rappahannock river were considered by Mooney to be, in all probability, the remnant of the Nantaughtacund tribe; but they now bear the name Rappahannock” (Speck, Frank G. *Ethnology of the Powhatan Tribes*, 1928, p. 280). Also, Speck spent exactly one night in White Oak and concluded, “We have not, however, clear proof that these descendants are actually of Potomac identity, although they now bear the name.” In none of his writings does Speck reveal why he thought they bore that name. Speck’s very brief mention of the Potomacs is the only reference to them between 1666 and 1928 of which we are aware. The “partnerships” with the universities date from after the creation of the “tribe” in the 1990s.

**FINDING 15**—Article 5 of the Racial Integrity Act states, “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.” This became known as the “Pocahontas Clause” and it exempted prominent Virginians who proudly claimed descent from Pocahontas. Since these White Oak families purportedly descend from Pocahontas through an undocumented child by Kocuom, this Act should not have impacted them at all. The White Oak families (who are now alleged to be Indians) were listed as WHITES in the census records from 1810 forward and in county land and tax records from 1723 through the 19th century as WHITES. A search of Findagrave and Ancestry yielded a vast collection of birth, marriage, death, and census records along with World War I draft cards, all of which prove without question that these families did not lose their Indian identity as a result of the Racial Integrity Act.

In an obvious contradiction, House Joint Resolution No. 150 (2010) states that the group had “family, church, land, and other records” and that “the documentation amassed by Dr. Deyo...and other scholars is sufficient to establish the claims of the Patawomeck tribal descendants.” It would appear that in 2010, the group had abundant documentation. In 2023, it has no documentation. WHICH IS IT? As pointed out in the note for Finding #15, the families of Newton, Green, Curtis, Jett, and Monteith, some of whose members are buried at White Oak Church and are alleged to be Indian descendants, are represented in the Stafford County records as WHITES from the 1660s forward. As a collection, these records span that time period without interruption. Add to that death records, published obituaries, and abundant newspaper coverage of Virginia Indian activities from the late 19th through the mid-20th centuries. A VERY small sampling includes articles such as “Few of Them Remain. Descendants of the Confederacy of Powhatan. Fast Nearing Extinction” (*Evening Star*, May 24, 1907); “Plan to Unite Powhatan Tribes. Old Confederacy to be Revived at Great Council in Virginia March 22” (*Washington Times*, Mar. 19, 1923); “Indians to Parade” at the Foch Day Parade (*Richmond Times-Dispatch*, Nov. 18, 1921); and “Indians Hold Pow Wow in Lower Sussex,” which was attended by anthropologist Frank G. Speck (*Milford Chronicle* (Milford, DE), Nov. 25, 1927). How does this constitute PAPER GENOCIDE? Despite Walter Plecker’s concerted effort, it did not “effectively erase” Virginia’s Chickahominy, Mattaponi, Nansemond, Pamunkey, or Rappahannock Indians.

**FINDING 16**—Archeology as a science was in its infancy at this time, but where is the documentation that the excavators “discarded” the bones of over 500 natives? Who counted them? Also, many of the bones now held by the Smithsonian were excavated by Judge William H. Graham. He was a relic hunter as opposed to an archeologist and he dug in both Maryland and Virginia. There seem to be questions as to where specific bones in Graham’s collection were obtained.

**FINDING 17**—She was Elizabeth (Newton) Schenemann (1918-2007) who was divorced by her Schenemann husband in Stafford and married O. T. Custalow (1898-1961). This was NOT a tribal merger. Elizabeth’s birth certificate lists her as white. Her divorce decree from Schenemann lists her as white. According to her second marriage license, Elizabeth and O. T. traveled to North Carolina where he self-declared as white and they were married as a white couple. In 1895, a Wisconsin newspaper carried an article about the shortage of squaws in the Pamunkey Tribe. The chief and his council informed the Governor of Virginia that they had decided to send a representative to North Carolina “and try and induce some of the Cherokee squaws to emigrate to Virginia and marry among the Pamunkeys” (*Grant County Herald* (Lancaster, WI), May 23, 1895). Where were the Patawomecks? A 1929 newspaper article announced, “Virginia Indians Wed at D. C. Ceremony. Two real, ‘first families of Virginia’ were united by marriage here yesterday.” William Custalow and Elsie Nelson of the Mattaponi and Rappahannock tribes respectively were married in Washington. “Both the bridegroom and the bride are members of the families of tribal chieftains.” After the ceremony, they left the judge’s chambers, but “They soon returned, however, to have their certificate marked ‘Indians,’ and after that was done they left” (*Washington Times*, Aug. 7, 1929).

**FINDING 19**—According to Dr. Helen C. Rountree, Ph.D., “No words in the Patawomeck dialect were ever written down at any time during their existence...wannabe reconstructors usually turn to the Delaware/Lenapes who are now out in Oklahoma. Linguists now tell me that the language was not very close in grammar or vocabulary to VA or MD Algonquian” (Rountree, email communication with J. MacGregor, Nov. 4, 2022).

**FINDING 20**—The PITV twice submitted applications for recognition and were twice turned down by the Virginia Council on Indians (VCI) because they presented NO legitimate documentation proving their descent from the 17<sup>th</sup> century Patawomeck Indians; NOR were they able to prove they had existed as a known tribal unit from the colonial period to the date of their application. Unable to satisfy the VCI’s criteria, the group bypassed that entity and appealed directly to the Virginia General Assembly. That body subsequently passed House Joint Resolution No. 150 in 2010. This resolution claims that the group was supported by abundant documentation, despite none having been presented to the VCI. A FOIA request to the General Assembly in October 2023 resulted in NO records being found there in support of Resolution No. 150.