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S. HRG. 109–610

LUMBEE RECOGNITION ACT

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON

S. 660

TO PROVIDE FOR THE ACKNOWLEDGMENT OF THE LUMBEE TRIBE OF NORTH CAROLINA

JULY 12, 2006
WASHINGTON, DC

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LUMBEE RECOGNITION ACT

WEDNESDAY, JULY 12, 2006

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:30 a.m. in room 106, Senate Dirksen Office Building, Hon. John McCain (chairman of the committee) presiding.

Present: Senators McCain, Dorgan, Thomas, and Burr.

STATEMENT OF HON. JOHN MCCAIN, U.S. SENATOR FROM ARIZONA, CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

The CHAIRMAN. Good morning. The committee will come to order.

This morning the committee will receive testimony on S. 660, the Lumbee Recognition Act, which was introduced by Senators Dole and Burr. The Lumbees have pursued Federal recognition for their community as an Indian tribe for over 100 years, and it appears they have garnered significant support for those efforts within their State. In 1956, Congress recognized the long history of the Lumbee Tribe and individual Lumbees, but instead of welcoming the tribe into the family of federally recognized tribes, in one statute Congress both recognized the tribe and terminated it.

For the record, my position has generally been to oppose Congressional recognition. There is an administrative process at the Department of the Interior providing a rigorous review of groups seeking to be recognized as Indian tribes, and I am usually in favor of relying on the expertise of that process to establish the legitimacy of these groups. Nevertheless, I understand that the 1956 Lumbee Act was enacted during the termination period of the 1950's, a time when many of our Indian tribes were not treated fairly.

I also understand the Lumbee Tribe submitted a petition with the Department of the Interior some years ago, and were told that they are statutorily barred from that process by this 1956 act. The frustration felt by this community in being unfairly caught in no man's land is also entirely understandable. S. 660 would address this injustice by amending the 1956 act to provide full Federal recognition to the tribe. However, Congressional recognition of tribes usually engenders some controversy, and this situation appears to be no different.

The witnesses today will provide testimony both pro and con as to the unique history of the Lumbee. I also welcome our colleagues from the Senate and House who have sponsored this legislation. Vice Chairman Dorgan.

[Text of S. 660 follows:]

II

109TH CONGRESS
1ST SESSION

S. 660

To provide for the acknowledgment of the Lumbee Tribe of North Carolina, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2005

Mrs. DOLE (for herself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

---

A BILL

To provide for the acknowledgment of the Lumbee Tribe of North Carolina, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lumbee Recognition Act''.

SEC. 2. PREAMBLE.

The preamble to the Act of June 7, 1956 (70 Stat. 254), is amended—

(1) by striking ''and'' at the end of each clause;

(2) by striking ": Now, therefore," at the end of the last clause and inserting a semicolon; and

(3) by adding at the end the following:

"Whereas the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw, and have remained a distinct Indian community since the time of contact with white settlers;

"Whereas since 1885 the State of North Carolina has recognized the Lumbee Indians as an Indian tribe;

"Whereas in 1956 the Congress of the United States acknowledged the Lumbee Indians as an Indian tribe, but withheld from the Lumbee Tribe the benefits, privileges and immunities to which the Tribe and its members otherwise would have been entitled by virtue of the Tribe's status as a federally recognized Indian tribe; and

"Whereas the Congress finds that the Lumbee Indians should now be entitled to full Federal recognition of their status as an Indian tribe and that the benefits, privileges and immunities that accompany such status should be accorded to the Lumbee Tribe: Now, therefore,".

SEC. 3. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), is amended—

(1) by striking the last sentence of the first section; and

(2) by striking section 2 and inserting the following:

"SEC. 2. RECOGNITION.

"(a) IN GENERAL.—Federal recognition is extended to the Lumbee Tribe of North Carolina. All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Lumbee Tribe of North Carolina and its members.

"(b) PETITION.—Notwithstanding the first section, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Lumbee Tribe of North Carolina as determined under section 3(c), may petition under part 83 of title 25, Code of Federal Regulations (or any successor regulation) for acknowledgment of tribal existence.

"SEC. 3. ELIGIBILITY FOR SERVICES AND BENEFITS.

"(a) IN GENERAL.—

"(1) SERVICES AND BENEFITS.—The Lumbee Tribe of North Carolina and its members shall be eligible for all services and benefits provided to Indians because of their status as members of a federally recognized Indian tribe.

"(2) RESIDENCE ON OR NEAR RESERVATION.—For the purposes of the delivery of such services, members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(b) DETERMINATION OF NEEDS AND BUDGET.—

"(1) IN GENERAL.—On verification by the Secretary of the Interior of a tribal roll under subsection (c), the Secretary of the Interior and the Secretary of Health and Human Services shall develop, in consultation with the Lumbee Tribe of North Carolina, a determination of needs and budget to provide the services to which members of the Tribe are eligible.

"(2) INCLUSION IN BUDGET REQUEST.—The Secretary of the Interior and the Secretary of Health and Human Services shall each submit a written statement of those needs and a budget with the first budget request submitted to Congress after the fiscal year in which the tribal roll is verified.

"(c) TRIBAL ROLL.—

"(1) IN GENERAL.—For purposes of the delivery of Federal services, the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary of the Interior, define the service population of the Tribe.

"(2) VERIFICATION.—The Secretary's verification shall be limited to confirming compliance with the membership criteria set out in the Tribe's constitution adopted on November 11, 2000, which ver-

ification shall be completed not less than 1 year after the date of enactment of this section.

"SEC. 4. FEE LAND.

"Fee land that the Tribe seeks to convey to the United States to be held in trust shall be treated by the Secretary of the Interior as on-reservation trust acquisitions under part 151 of title 25 Code of Federal Regulations (or any successor regulation) if the land is located within Robeson County, North Carolina.

"SEC. 5. STATE JURISDICTION.

"(a) IN GENERAL.—The State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed on; and

"(2) all civil actions that arise on;

land located within the state of North Carolina that is owned by, or held in trust by the United States for, the Lumbee Tribe of North Carolina, or any dependent Indian community of the Lumbee Tribe of North Carolina.

"(b) TRANSFER.—

"(1) IN GENERAL.—The Secretary of the Interior may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdic-

tion of the State of North Carolina described in paragraph (1) under an agreement between the Lumbee Tribe and the State of North Carolina.

"(2) EFFECTIVE DATE.—A transfer of jurisdiction under paragraph (1) shall not take effect until 2 years after the effective date of the agreement.

"(c) EFFECT OF SECTION.—This section shall not affect the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

"SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this Act.".

○

STATEMENT OF HON. BYRON L. DORGAN, U.S. SENATOR FROM NORTH DAKOTA, VICE CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

Senator DORGAN. Mr. Chairman, thank you very much.

When reading the briefing material for this hearing, I asked for a time line to be prepared for me. So over 3 pages came to me with a time line, starting back in the early 1700's, and it goes on and on and on. This is a very unusual, very interesting and in some ways controversial issue. I am interested in learning as much as I can from this hearing, as much as is available. We want to know about the Lumbee Tribe and its history and what it has been confronted with with respect to the 1956 act and other related issues.

So we recognize this is a controversial issue. We think the best way to address it is to have a hearing, have all the sides come and present testimony. We are very appreciative that many of you have done so today. And I welcome our colleagues as well.

The CHAIRMAN. Senator Thomas.

STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. Thank you, Mr. Chairman. I don't have a statement, really. I appreciate your having this hearing. However, there was some talk about bringing this to the floor directly, and I think it should properly have a hearing, and I appreciate that. Thank you.

The CHAIRMAN. Thank you very much, Senator.

We now would like to welcome our dear friend and colleague, the Honorable Elizabeth Dole, and our friend from the House of Representatives, the Honorable Mike McIntyre. Welcome, Senator Dole, and thanks for being here.

STATEMENT OF HON. ELIZABETH DOLE, U.S. SENATOR FROM NORTH CAROLINA

Senator DOLE. Thank you, Mr. Chairman.

Mr. Chairman, Mr. Vice Chairman, thank you very much for holding this important hearing today. Senator Thomas, Senator Burr, delighted to be with you and to have an opportunity to be with you and to have an opportunity to express my deepest thanks to each of you for your leadership on so many issues affecting Native Americans.

We are here this morning to discuss tribal recognition. The Lumbee Tribe of North Carolina has waited, Mr. Chairman, more than 100 years for full Federal recognition and 50 years in order to right a wrong that denied them the benefits granted to every other recognized tribe. I introduced the legislation we are considering today, the Lumbee Recognition Act, because I deeply believe that it is the right thing to do. In fact, it was the very first bill that I introduced as a new member of the U.S. Senate.

With more than 50,000 members, the Lumbee Tribe is the largest east of the Mississippi River, as well as the largest non-federally recognized tribe in America. Joining us today are Lumbee Chairman Jimmy Goins and other members of the Lumbee Tribe who have journeyed here to make their case yet once again.

As many of you will remember, this committee held a hearing on the Lumbee Recognition Act on September 17, 2003, the very same day that Hurricane Isabel was bearing down on North Carolina and moving up the East Coast. Undeterred, members of the Lumbee Tribe traveled in the face of that powerful storm, determined to make it to their Senate hearing.

It is this resolve of the Lumbees, even after years of struggles and disappointments, that inspires me to take up this fight alongside them and to advocate for the recognition they rightfully deserve. I welcome the support of my good friend, Senator Richard Burr, who has joined me in introducing the Lumbee Recognition Act. And I greatly appreciate the hard work Congressman Mike McIntyre is doing in the House on this issue. I thank you both for the opportunity to join together today in this effort.

In addition, I would like to note the endorsement, Mr. Chairman, of North Carolina Governor Mike Easley, who wrote last week to this committee to express his strong support for Lumbee recognition. Mr. Chairman, I request that the Governor's comments be included in the record.

The CHAIRMAN. Without objection, so ordered.

[Referenced information appears in appendix.]

Senator DOLE. For more than a century, the Lumbees have been recognized as American Indians. North Carolina formally recognized the tribe in 1885, and 3 years later, in 1888, the tribe began what has become a very long quest for recognition and assistance from the Federal Government. Over the years, many bills were introduced in Congress to provide the Lumbees with Federal recognition. But these bills were never acted upon or were passed by only one chamber.

Finally, in 1956, Congress passed the Lumbee Act. But there was a caveat: The Lumbees were denied the full benefits that every other federally recognized tribe received. Refusing to accept this partial nod to their legitimacy and their proud heritage, the Lumbees and their allies in Congress have been unrelenting in the request for what the tribe deserves: To be treated by the Federal Government like every other recognized tribe.

There are some who argue that the Lumbee should be required to go through the Bureau of Indian Affairs [BIA], rather than through legislation. However, the Lumbee Act of 1956 actually prohibits the tribe from going through the BIA process. As the law now stands, the Lumbee Tribe can only be recognized by an act of Congress. Just one other tribe, the Tiwas of Texas, face a similarly unfair situation, following the passage of a comparable bill in 1965.

But in 1987, Congress enacted special legislation to recognize them. This makes the Lumbees the only tribe in the country still trapped in this legal limbo and ineligible for the administrative acknowledgment process because of an earlier act of Congress.

The BIA process is reserved for tribes whose legitimacy must be established. As we know, that is certainly not the case with the Lumbees. Their legitimacy has been established time and time again. There have been numerous studies by the Department of the Interior, beginning as early as 1913, then again in 1914, and yet again in 1933. Each time, it has been determined that the Lumbees are indeed an Indian tribe, descended from the historic Cheraw In-

dians. There is no need to waste the tribe's or the Government's time and money again.

Let me also underscore, it has been documented by GAO that getting through the BIA process can be arduous, to say the least, and lengthy. A 2001 GAO report revealed it can take up to 15 years to resolve petitions for recognition. And a 2005 follow-up report underscored that even with some improvements to the BIA process, it would still take years for BIA to work through its current backlog of recognition petitions and even longer to consider new petitions. It is clear that even if the Lumbee could legally go through BIA, this would only impose yet another lengthy delay on this tribe.

Over the last several years, I have had many opportunities to visit with the Lumbees. One occasion in particular stands out in my mind, a 2003-rally in Robeson County with my good friend, Congressman McIntyre. This rally brought together the entire community, uniting people of all ages, all races, all backgrounds for a common goal: Getting the Lumbee Indians the full recognition and benefits they deserve.

In the last Congress, this committee unanimously approved the Lumbee Recognition Act. I urge you to once again report this bill out of the committee as expeditiously as possible. Simply put, this is about fairness. It is about righting a wrong and allowing future generations of Lumbees to benefit from the recognition for which their ancestors have fought tirelessly.

Following Congressman McIntyre, this committee will hear testimony from several other distinguished panelists, including Chairman Goins, a dear friend and determined advocate for his tribe. And Arlinda Locklear, a very talented attorney and nationally recognized expert on Indian tribes. In 1984, Arlinda, a member of the Lumbee Tribe, became the first Native American woman to appear before the U.S. Supreme Court.

Dr. Jack Campisi will testify once again. He is a professor at Wellesley College and an expert on tribal and Lumbee issues. Dr. Campisi has actually lived among the Lumbee in Robeson County while conducting his research.

In closing, let me thank you again, Mr. Chairman, Mr. Vice Chairman, for holding this important hearing. And I thank you for the privilege of presenting my heart-felt views on the issue of fairness for the Lumbee people. Thank you.

The CHAIRMAN. Thank you very much, Senator Dole.

Congressman McIntyre, welcome.

STATEMENT OF HON. MIKE MCINTYRE, U.S. REPRESENTATIVE FROM NORTH CAROLINA

Mr. MCINTYRE. Thank you, Senator McCain, good to be with you.

In addition to Governor Easley's remarks that Senator Dole pointed out, we would like to have in the record and we would like to ask unanimous consent to submit the remarks of Congressman Robin Hayes, who was an original cosponsor of this bill in the U.S. House.

The CHAIRMAN. Without objection, so ordered.

[Prepared statement of Mr. Hayes appears in appendix.]

Mr. MCINTYRE. Thank you, Senator.

Mr. Chairman and members of the committee, thank you for this opportunity to testify before you today regarding Federal recognition for the Lumbee Indians. And a special thanks to my colleagues, Senators Dole and Senator Burr, for their leadership and their work on this important effort.

In the late 1500's, when English ships landed on the shores at Roanoke Island on the North Carolina Coast, the Englishmen discovered Native Americans. Included among those Native Americans were both the Cheraw and Pee Dee Indians, who are direct ancestors of the Lumbee Tribe. Later, in 1888, the Lumbees made their first effort at Federal recognition. For at least 500 years, Lumbee Indians have been inhabitants of this land. And for over one-half the time that our country has been in existence, 119 of the 230 years, the Lumbee Indians have been seeking the recognition and respect that they deserve. As the largest tribe east of the Mississippi and the largest non-recognized tribe in America, it is unfathomable that this tribe of 55,000 people has never been fully recognized by our own U.S. Government.

Mr. Chairman, the time for Lumbee recognition has come. It was Congressional action that put the Lumbees in this situation in 1956, and it will take Congressional action to resolve it. As my friend, Senator Dole, pointed out, we have a direct precedent, the Tiwa Tribe of Texas, who was in a similar situation and that was resolved by Congress, leaving the Lumbees as the only tribe in this unresolved position.

Mr. Chairman and members of the panel, I was born and reared in Robeson County, North Carolina, the primary home of the Lumbee people. I go home there every weekend, and I have the high honor of representing approximately 40,000 Lumbees who live in my home county. In fact, there are more Lumbees in Robeson County than any other racial or ethnic group. The Lumbee Indians, many of whom, Mr. Chairman, are here in the audience with us today and traveled throughout yesterday and the night to be here, are my friends, many of whom I have known all my life.

They are important to the success of everyday life in southeastern North Carolina, and their contributions in our society are numerous and endless. From medicine and law to business and banking, from the farms and factories to the schools and churches, from government, military, and community service, to entertainment and athletic accomplishments, the Lumbees have made tremendous contributions to our county, our State, and indeed, our Nation.

In fact, in my home county, the former sheriff and the current clerk of court, registrar of deeds, chairman of the county commissioners, superintendent of the public schools, and the representative in the State legislature of the area where I live, as well as two of our district court judges and one of our superior court judges, are all Lumbee Indians, obviously engendering great respect in our local community and throughout our region.

Mr. Chairman, those contributions are being recognized by our colleagues. In the U.S. House, through the support of H.R. 21, legislation that I introduced on the day that we were sworn into the Congress of this session, they have supported the opportunity to grant Lumbees Federal recognition. I am pleased to report to the Senate Indian Affairs Committee that 211 members of the U.S.

House have cosponsored this recognition. These cosponsors come from different parts of the country and from both political parties. But they all agree that the time for recognition has come.

Lumbee contributions are also being recognized back home by both the public and private sector, from city councils to county commissions, from the chamber of commerce to Southeastern Regional Medical Center, all have endorsed the effort to grant the Lumbees Federal recognition.

Mr. Chairman, in conclusion, let me urge this committee and the U.S. Congress not to delay any more on this issue. Justice delayed is justice denied. As you will hear from the next panel, the evidence is clear, cogent and convincing. It is time to say yes, yes to dignity and respect, yes to fundamental fairness, yes to decency, yes to honor, yes to Federal recognition. It is time for discrimination to end and recognition to begin.

Thank you again for this opportunity to testify. I look forward to working with you and the committee for this long overdue recognition. May God grant that justice will finally be done. With your help, I am confident it will.

[Prepared statement of Mr. McIntyre appears in appendix.]

The CHAIRMAN. Thank you both very much. We appreciate your taking the time to appear before the committee, and we will look forward to hearing the other witnesses. Thank you very much.

Our next panel is R. Lee Fleming, director, Office of Federal Acknowledgment, Department of the Interior. Before we begin with Mr. Fleming, I note that Senator Burr is here. Would you have an opening statement or comment, Senator Burr?

STATEMENT OF HON. RICHARD BURR, U.S. SENATOR FROM NORTH CAROLINA

Senator BURR. Mr. Chairman, thank you.

After the testimony from my colleagues, Senator Dole and Congressman McIntyre, I think everything has been said. But I would like to take this opportunity to urge my colleagues on this dias that they concentrate on two words that they heard: Equity and fairness. I believe that is at the root of why this hearing is being held, why Senator Dole has been so passionate at pursuing a legislative remedy. It is to achieve equity and fairness. And I believe that if you look at the history of this issue in detail, you will find that this Government has not met that threshold as it relates to this issue.

I thank the Chair.

The CHAIRMAN. Thank you very much, Senator Burr.

Mr. Fleming, welcome. Please proceed.

STATEMENT OF R. LEE FLEMING, DIRECTOR, OFFICE OF FEDERAL ACKNOWLEDGMENT, DEPARTMENT OF THE INTERIOR

Mr. FLEMING. Good morning, Mr. Chairman and members of the committee. My name is Lee Fleming, and I am the director of the Office of Federal Acknowledgment at the Department of the Interior.

Groups seeking to be acknowledged as Indian tribes are reviewed through the office that I direct, and I am here today to provide the Administration's testimony on S. 660, the Lumbee Recognition Act.

The acknowledgment of the continued tribal existence of another sovereign is one of the most solemn and important responsibilities delegated to the Secretary of the Interior, which the Department administers through its acknowledgment regulations at 25 C.F.R. Part 83. Federal acknowledgment of tribal status enables Indian tribes to participate in Federal programs and services and establishes a government-to-government relationship between the United States and the Indian tribe. Acknowledgment carries with it certain immunities and privileges which may include exemptions from State and local jurisdiction and the ability of newly acknowledged Indian tribes to undertake unique economic opportunities.

Under the Department's acknowledgment regulations, petitioning groups must demonstrate that they meet each of the seven mandatory criteria. The petitioner must first, demonstrate that it has been identified as an American Indian entity on a substantially continuous basis since 1900; second, show that a predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present; third, demonstrate that it has maintained political influence or authority over its members as an autonomous entity from historical times until the present; fourth, provide a copy of the group's present governing document, including its membership criteria; fifth, demonstrate that its membership consists of individuals who descend from an historical Indian tribe or from historical Indian tribes that combined and functioned as a single, autonomous political entity, and provide a current membership list; sixth, show that the membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe; and last, seventh, demonstrate that neither the petitioner nor its members are the subject of Congressional legislation that has expressly terminated or forbidden the Federal relationship.

The Department recognizes that under the U.S. Constitution, Congress has the authority to recognize a distinctly Indian community as an Indian tribe. But along with that authority, it is important that all parties have the opportunity to review all of the information available before recognition is granted. That is why the Department of the Interior supports a transparent recognition process that requires groups to go through the acknowledgment process.

The Department's regulations provide a deliberative, uniform mechanism to review and consider groups seeking Indian tribal status. Notwithstanding that preference, the Department recognizes that some legislation is needed, given the unique status of certain Indians in North Carolina.

In 1956, Congress designated Indians then residing in Robeson and adjoining counties of North Carolina as the Lumbee Indians of North Carolina. Congress went on to note the following:

> Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

In 1989, the Department's Office of the Solicitor advised that the 1956 act forbade the Federal relationship within the meaning of the acknowledgment regulations and that the Lumbee Indians

were therefore precluded from consideration for Federal acknowledgment under the administrative process. Because of the 1956 act, legislation is necessary for the Lumbee Indians to be afforded the opportunity for tribal status under the Department's regulations. The Department would welcome the opportunity to assist the Congress in drafting such legislation.

If Congress elects to bypass the regulatory process in favor of legislative recognition of the Lumbee in a manner granting full sovereign rights, then the Department makes the following comments on S. 660: S. 660 extends Federal recognition to the Lumbee Tribe of North Carolina and permits any other group of Indians in Robeson and adjoining counties whose members are not enrolled in the Lumbee Tribe to petition under the Department's acknowledgment regulations. The Office of Federal Acknowledgment has received letters of intent to petition from six groups from Robeson and adjoining counties. These groups may overlap with each other in governing bodies, membership and ancestry.

In addition, we have identified over 80 names of groups that derive from these counties and all are affected by the 1956 Lumbee Act. Some of these groups also claim to be the Lumbee Tribe. Therefore, we recommend Congress clarify the Lumbee group that would be granted recognition under this bill.

One of the benefits or privileges available to recognized Indian tribes is the ability to conduct gaming under the Indian Gaming Regulatory Act. Under S. 660, any fee land that the Lumbee seeks to convey to the United States to be held in trust shall be considered an off reservation trust acquisition if the land is located within Robeson County, North Carolina, and gaming will be allowed on those lands under the provisions of IGRA.

Under S. 660, the State of North Carolina has jurisdiction over criminal and civil offenses and actions on lands within North Carolina owned by or held in trust for the Lumbee Tribe or any dependent Indian community of the Lumbee Tribe. This bill, however, does not address the State's civil regulatory jurisdiction which includes jurisdiction over gaming, zoning and environmental regulations.

We are concerned with the provision requiring the Secretary, within 1 year, to verify the Lumbee membership and then to develop a determination of needs and budget to provide Federal services to the Lumbee group's eligible members. In our experience, verifying a tribal role is an extremely involved and complex undertaking that can take several years to resolve with much smaller tribes. Moreover, S. 660 is silent as to the meaning of verification for inclusion on the Lumbee group's membership list.

In addition, S. 660 may raise a constitutional problem by purporting to require the President to submit annually to the Congress as part of his annual budget submission a budget that is recommended by the head of an executive department for program services and benefits to the Lumbee. Under the recommendations clause of the U.S. Constitution, the President submits for the consideration of Congress such measures as the President judges necessary and expedient.

Should Congress choose not to enact S. 660, the Department feels that at a minimum, Congress should amend the 1956 act to afford

the Lumbee Indians the opportunity to petition for tribal status under the Department's acknowledgment regulations. This concludes my prepared statement. I would be happy to answer any questions the committee may have.

[Prepared statement of Mr. Fleming appears in appendix.]

The CHAIRMAN. Thank you very much, Mr. Fleming.

If legislation were enacted to repeal the 1956 act, so that the Lumbees can proceed through the normal process, can you estimate how many years it would take to make a final decision on a Lumbee petition from the date of enactment until final agency action?

Mr. FLEMING. Currently, the Office has a workload of 9 groups on active and 10 groups that are ready. We have 4 teams that work on these decisions; 19 divided by 4 gives you an idea of the number of years that it will take to eliminate the workload. So we are looking at at least a wait of 14 into 19 is 4 years, plus, before we begin an actual review of the Lumbee group's petition.

The CHAIRMAN. You mentioned that there are other entities out there that under this bill would be somehow addressed, is that correct? In other words, according to your statement, as I understand it, you say we have identified over 80 names of groups that derive from these counties and are affected by the 1956 act. Some of these groups claim to be the Lumbee Tribe. Elaborate a little bit on that.

Mr. FLEMING. We have six formal petitioning groups from Robeson and adjoining counties. Under the 1956 act that Congress enacted, any individuals or groups from Robeson and adjoining counties is designated as Lumbee Indian. So when a petitioning group submits a petition from Robeson and adjoining counties, then we know that the 1956 act prohibits us from moving forward in reviewing those petitions.

Six groups, the Cherokee Indians of Robeson and Adjoining Counties, the Lumbee Regional Development Association, the Cherokee Indians of Hoke Count, Inc., the Tuscarora Nation of North Carolina, the Tuscarora Nation East of the Mountains, and the Tuscarora Nation of Indians of the Carolinas, those are groups that are in Robeson and adjoining counties that are affected by the Lumbee Act.

In our administrative correspondence files, we have identified the names of other groups that have sent in correspondence claiming that they are an Indian tribe located in Robeson and adjoining counties. And as I mentioned in my testimony, that there is an overlapping of membership, there is an overlapping of some of the governing bodies and there is an overlap of the ancestry of these groups with the Lumbee.

The CHAIRMAN. How do you address that issue, given, if we passed S. 660, how would we address these multiple conflicting names and groups?

Mr. FLEMING. This is the complex issue. Under our regulations, we have a thorough review of the membership lists. We have a review of the ancestries and we would know who is who. If this is enacted, sure enough, the Lumbee Tribe of North Carolina would be acknowledged. But then you would have a lot of these groups saying, perhaps our group was acknowledged. So there needs to be

a clearer definition of who is actually being acknowledged in the bill.

The CHAIRMAN. And you also mentioned that the legislation requires that within 1 year there would have to be, 40,000 people would be listed and authenticated, have access to the Lumbee's tribal roll. Do you think you could accomplish that in 1 year?

Mr. FLEMING. Honestly, I do not think it could be accomplished in 1 year. At one hand, 34,000 members was a figure that was provided. The 2000 Federal census has 51,913 members. And then we heard earlier around 53,000 members. Even with smaller tribes, we have estimated that it would take 3 to 4 years to verify the membership rolls. Because the membership rolls are representative of the enrolment files of each and every individual of the tribe.

And so it is critical that it be well defined and in the case where we have so many other groups that may be involved, we have to review their records and a clear definition has to be made. Because ultimately there are programs and services that are going to be afforded to the individuals who are members of a federally-recognized tribe.

The CHAIRMAN. And the issue of, with recognition of course would come the normal process if the tribe decided to engage in Indian gaming, is that true?

Mr. FLEMING. That is right. There is a regulatory process for Indian gaming.

The CHAIRMAN. Thank you very much, Mr. Fleming.

Senator Dorgan.

Senator DORGAN. Mr. Fleming, thank you very much.

The groups that you now say or you now recognize are prohibited from petitioning would all be groups considered part of the Lumbee Tribe, is that correct? I mean, you have named disparate groups, or maybe not disparate groups, but they all think that they are a tribe. All of them would be prohibited at this point, as I understand you, from seeking to petition for tribal recognition?

Mr. FLEMING. They would be prohibited from being reviewed under our acknowledgment regulations.

Senator DORGAN. So whatever that universe is, that is what you describe to be the Lumbee Tribe?

Mr. FLEMING. That is correct.

Senator DORGAN. But

Mr. FLEMING. The potential. The potential.

Senator DORGAN. The definition of that universe is not very clear at this point.

Mr. FLEMING. The 1956 act was not clear. But it was clear in that individuals located in Robeson and adjoining counties are considered Lumbee individuals.

Senator DORGAN. Mr. Fleming, in the briefing that I had read last evening from the staff, it said that between 1899 and 1956, there were a number of attempts made to provide Federal recognition for the Lumbees. The Congressional hearings were held, the Department of the Interior investigated prepared reports in 1912, 1914, and 1933. And the summation of all of that indicated a belief that the Lumbee tribal group or Cherokee Indians of Robeson County, as they were known, were probably descended from an historic Indian tribe. However, the Department of the Interior also in-

dicated an inability to establish with absolute certainty with which historic Indian tribe the group was affiliated.

Have you gone back and reviewed the attempts in 1912, 1914, and 1933 to seek recognition? And that was at a time prior to the 1956 act when they were not prohibited from seeking recognition. Have you reviewed that at all and have any understanding of what difficulties were encountered then relative to what you would encounter now?

Mr. FLEMING. Yes, Senator Dorgan; I have looked at the previous bills and reports. And there have been approximately 26 bills introduced since 1899. These bills and the associated reports have provided possible historical tribes and there are quite a number of them. I do have a list of the different names of historical tribes that have appeared in these bills, as well as the associated reports.

Senator DORGAN. Mr. Fleming, I am really inquiring more about the Department of the Interior investigations that occurred as a result of the Lumbees back at that point, prior to 1956, on several occasions seeking recognition through a process that would have been available to them. Have you reviewed the Interior Department's evaluations and investigations at that point?

Mr. FLEMING. Yes; I have.

Senator DORGAN. What is your conclusion on that?

Mr. FLEMING. I would say that a lot of the previous reports were identifying historical tribes that may be associated with the Lumbee. One report indicated that they descend from the Cherokee, another report from the Cheraw, another report from the Croatan. One report included a whole group of different historical tribes, such as the Eno, the Hattaras, the Keowee, the Shakori. Even John R. Swanton, who is a renowned anthropologist, in a 1946 report for the Bureau of American Ethnology, stated that there were several possibilities that the Lumbee could descend from either the Cheraw, the Siouan Indians of Lumber River, the Keowee, and another group known as the Waxhaw. There is a whole number of possibilities. But in his report, he felt that there was a strong connection perhaps to the Cheraw or the Keowee.

Senator DORGAN. Just a couple of other brief questions. If recognized, would this be one of the larger Indian tribes in the country, in your opinion?

Mr. FLEMING. It would be one of the larger Indian tribes in the United States.

Senator DORGAN. And if recognized, prior to recognition, with respect to the issue of gaming, I assume there are two issues here, first, is the ability to engage in a compact for gaming, and the second, is the ability to access for tribal members the Indian health service and housing and other things that are available to recognized tribes. Fee land that would be purchased prior to recognition in any part of that county could be turned over to the Federal Government to be held in trust, and then that land would be a part of the gaming opportunities, provided that it would be acceptable in a compact with other officials, would that be correct?

Mr. FLEMING. That is my understanding.

Senator DORGAN. Mr. Chairman, I thank Mr. Fleming for his background. It was very helpful.

The CHAIRMAN. Senator Thomas.

Senator THOMAS. Thank you, Mr. Chairman.

You know, this is kind of confusing. Apparently this tribe is very old, 100 years, I think she said something about that. And then it went through the 1956 thing, that is 50 years ago. And maybe you touched on this, but I still don't understand. There have been lots of tribes that go through lots of problems and get listed and so on. What has been unique and peculiar about this? Why hasn't this gone through the regular process?

Mr. FLEMING. It is because of the 1956——

Senator THOMAS. Well, what about before that? Didn't they ever try before that?

Mr. FLEMING. Yes; there are considerable bills that have been submitted to Congress prior to 1956, the first being in 1899. And as you had heard earlier, even North Carolina had acknowledged the Croatan Indians in——

Senator THOMAS. But Wyoming didn't recognize the Arapahos. What is unique about this whole thing? Why isn't this done like everyone else?

Mr. FLEMING. I think the uniqueness is the lack of pinning down the historical tribe. And as you heard, there were quite a number of possibilities. You even heard that there was contact with the early colonists, as early as 1585. But from 1585 to 1885, 300 years, there is a considerable period of time where evidence would be needed to fully understand who this group was and is.

Senator THOMAS. So you still can't identify this as a tribe, is that right, based on what you know now?

Mr. FLEMING. We have not been able to review the evidence to come out with a determination.

Senator THOMAS. And would you be able to do that, given the opportunity?

Mr. FLEMING. If the 1956 act is amended to allow the thorough review, we would be able to come out with a proposed finding, share that finding with all parties concerned, invite public comment and then review those comments and then eventually come out with a final determination.

Senator THOMAS. I see. So did you say there has just been one tribe authorized by Congressional action, such as is being asked for here?

Mr. FLEMING. There have been other tribes that have had Congressional recognition. And we can provide you a list of all the tribes.

Senator THOMAS. Do you mean they have not gone through the process that you are talking about?

Mr. FLEMING. There have been a few, yes.

Senator THOMAS. What has been the basis for that?

Mr. FLEMING. Some of them have been involved in Indian land settlement claims and as a result, they were recognized by Congress as Indian tribes.

The CHAIRMAN. When was the last time there was legislation such as this passed, Mr. Fleming?

Mr. FLEMING. I believe it was in the Omnibus Bill. It was the Shawnee, which is located in Oklahoma. And that was in 2000, I believe, December 2000.

Senator THOMAS. But that was a land controversy, is that right?

Mr. FLEMING. In that case, it was multi-complex, the Shawnee were a group that was incorporated in with the Cherokee Nation. There were previous treaties involved that had grouped the historical Shawnee with the historical Cherokee. In order for it to be recognized outside the Cherokee Nation, then that legislation was introduced.

Senator THOMAS. I see. Okay. Thank you very much, Mr. Chairman. This is a confusing thing, to say the least.

The CHAIRMAN. Thank you, Senator Thomas.

Senator Burr.

Senator BURR. Thank you, Mr. Chairman.

I was just looking at the chart of the tribes that have been recognized since 1960, either by the process or by Congressional recognition. I didn't have time to count them all. I think there are more that have been recognized by Congressional recognition than by the administrative process. Mr. Fleming, I would ask you to supply for the committee the precise numbers in every category.

And let me try to clarify Senator Thomas' question. There were a number of folks that were caught in the 1956 act, recognized and then in the same act, their ability to go through a formal process taken away. Who, other than the Lumbees, are still waiting to have that resolved?

Mr. FLEMING. There are several groups, several tribes that were terminated during that period of time where there was the national policy that Congress held and that affected a great number of tribes in California and Oregon and other parts of the country. A good number of those tribes have been restored. In fact, in 1994, Congress passed the Federally Recognized Indian Tribe List Act, which repudiated the termination policy, and also had a statement that it would put a priority on restoring a terminated tribe.

Congress has the authority to terminate a tribe, and Congress has the authority to restore that tribe. So if a tribe had been terminated by Congress, then only Congress may restore that tribe. There are still a few that have not yet been restored, either in California or Washington.

Senator BURR. Let me restate that. Any tribe that Congress chooses to terminate only Congress can re-recognize that tribe, is that what you said?

Mr. FLEMING. Restore, correct.

Senator BURR. Okay. I think that is important for my colleagues up here to understand why we have been asked to be involved. Is it not the case that other tribes that were caught in the 1956 termination having in fact been Congressionally recognized?

Mr. FLEMING. A good number have been restored.

Senator BURR. Okay. Let me go, if I could, to sort of the BIA criteria, if one were to go that route. The BIA considers from historical times until present. What is historical times?

Mr. FLEMING. Historical times is first sustained contact with the Europeans.

Senator BURR. Considering that most tribes in the United States don't have or didn't keep documented evidence of having existed, political influence, going out of the criteria down the list, from historical times until present, how many tribes that were recognized

before we had a BIA process would be recognized under the criteria established today?

Mr. FLEMING. There are 561 federally recognized tribes. Each of these tribes have unique histories. They come from various parts of the country. There are records that are available on the Federal level, the State level, the county level, the local level, the tribal level or group level. On all of those levels, there is tremendous evidence that can be researched and found for this process. And we do have a lot of groups that have been successful in documenting the histories.

Of the 561 federally recognized tribes, I would venture to say they would all be able to demonstrate meeting all the seven mandatory criteria.

Senator BURR. All the seven criteria. So for Senator Thomas, and I don't even know if he has tribes, I assume that he does, where the U.S. Government didn't go to until several years after this country was created, how do they prove a historical political influence when the U.S. Government didn't go there?

Mr. FLEMING. There are a lot of colonial records that are available. You have documents that will demonstrate that there were leaders of these tribes. There are documents that will show that there are individuals who followed the leadership. Those are the types of documents that are provided in this process to demonstrate political authority.

Senator BURR. But everybody has to meet all seven?

Mr. FLEMING. All seven must be met.

Senator BURR. Let me go to 83.7(g), the last one. Neither the petitioner nor its members are the subject of Congressional legislation that has expressly terminated or forbidden the Federal relationship. Is that not what we did in the 1956 act?

Mr. FLEMING. Exactly.

Senator BURR. Are the Lumbees not, will they not flunk 83.7(g)?

Mr. FLEMING. This is the criterion that has been the subject of discussion. This is the one that we have

Senator BURR. So we would have to change the BIA criteria for the Lumbees to have any chance of going through BIA review and being accepted?

Mr. FLEMING. The Department has recommended amending the 1956 act to allow all groups of Robeson and adjoining counties. True, we could

Senator BURR. Rather than change the BIA criteria, we would just go back in history and say, you know, we really didn't mean it in 1956 that you couldn't participate in this. So we are going to give you 83.7(g).

Mr. FLEMING. We look forward to the opportunity to working with the committee staff, as I stated in the testimony, in crafting legislation to allow for an amendment to the 1956 act.

Senator BURR. You are actually a tribal member, aren't you?

Mr. FLEMING. I am.

Senator BURR. Which tribe?

Mr. FLEMING. The Cherokee Nation in Oklahoma.

Senator BURR. I don't think that anybody questions your commitment. You and I have met several times. I think that your knowl-

edge is incredible for Native Americans. I feel fortunate that we have you in the capacity that we do.

You said that you are not opposed to the bill, but that it needs clarification and improvement, so that it doesn't reach out further than what the intent is as it relates to potential petitioners. Is that accurate?

Mr. FLEMING. The Department's position is that the group go through the process.

Senator BURR. Correct me if I am wrong, I heard in your statement you are not opposed to the bill, but believe it needs clarification, if that were the choice that Congress chose.

Mr. FLEMING. I believe my statement did not present a position of opposition and it did not present a position of support.

Senator BURR. Okay. I might have written it as a paraphrase versus a quote.

Through the BIA process and anybody who has petitioned through it and been recognized as a tribe, have any of those petitioners faced the situation where additional groups have filed petitions at the same time they were going through recognition, or is this just unique to the Lumbees?

Mr. FLEMING. There are many groups that have, groups that are possibly related. Some groups, when they get into the process, they may even splinter because of a political conflict that occurs. We have several groups that are from the same region. There could be the possibility of overlapping of membership. There are a lot of complexities and the answer to your question, yes, there are other groups that

Senator BURR. So this is not unusual. It just so happens that the name of potentially a petitioner would be the Lumbee, but as more people see that that might be an option, they have decided to file petitions on their behalf, their interest. And that is not unusual in applications that have come in in the past?

Mr. FLEMING. Correct.

Senator BURR. Good. In the 1930's, we had the Indian Reorganization Act. Is it true that the Office of Indian Affairs recommended that the tribe put land in a trust to set up for resettlement? Are you aware of that?

Mr. FLEMING. I believe in some of the reports there had been Indian Reorganization Act activities that took place during that time period. I am not well versed in the details.

Senator BURR. Would that not suggest that the Office of Indian Affairs believed that this was a tribe that was going to be recognized, or would they have gone through that process?

Mr. FLEMING. I believe that there were many groups throughout the United States that were being looked at at that time for the Indian Reorganization Act. There was a whole process involved. But I do not know precisely all the details that may have been affected to some of these groups.

Senator BURR. Mr. Chairman, I realize that the committee has been very patient with me. I think at the heart of this is that there is from 1888 up until 1956 where the Lumbees did follow the appropriate process in this country. Office of Indian Affairs reviewed, 1912, Government went down, as a matter of fact, the folks who went down and did that review came back and made a rec-

ommendation that they are a tribe, they should be recognized. The Department of the Interior ignored it, in 1915 the same thing happened. In 1930 the Office of Indian Affairs, based upon the Reorganization Act suggested that resettlement land might be put in a trust. In 1956, everybody on the committee knows what happens.

In the 1960's, we rewrote what the criteria was going to be for that point forward for recognition. Everything that we look at is sort of thrown out the window. I would only ask you one last question. The results of the 1956 act, as it relates specifically to the Lumbees and the fact that they were recognized and terminated in the same legislation, that that termination denied them the ability at any point between then and today to go through the BIA process and what happened to others who were caught in that same 1956 recognition and termination but recognized by Congress, do you believe that the Lumbees have been treated equitably and fairly?

Mr. FLEMING. I believe that the Lumbee have had an opportunity, since 1978, to go through the process. And in fact, they did initiate a letter of intent and submitted a documented petition. As the Department was preparing the technical assistance review letter to understand any deficiencies in the evidence under the seven mandatory criteria, this is when the question of the 1956 act appeared. And there was a concern over 83.7(g).

Because of that, then the Office of the Solicitor of the Department of the Interior was asked to review the 1956 act. That is when the opinion came through that the Department could not move forward in the review of the Lumbee Petition, as well as other groups of Robeson and adjoining counties. That is why the Department has consistently advised or recommended that the 1956 act be amended to allow the same equitable action that has been provided to the other petitioners that have gone through this process.

Senator BURR. I appreciate the answer on behalf of the BIA. I really asked the question from the standpoint of you, Mr. Fleming, as a Native American. Do you believe that the Lumbees have been treated fairly and equitably in comparison to everybody else that went through the 1956 act? It is probably unfair to ask for a personal observation from a Federal employee, so I will not solicit the answer, I will only say to the chairman, thank you for your accommodation of time. I yield back.

The CHAIRMAN. Mr. Fleming, on several occasions you have appeared before this committee. I appreciate your informed and unbiased opinion that you have provided this committee numerous times in the past, including today. I know that Senator Dorgan shares my view. Thank you very much. Thank you for being here.

Mr. FLEMING. Thank you.

The CHAIRMAN. The next panel is Jimmy Goins, tribal chairman, Lumbee Tribe of North Carolina. He is accompanied by Arlinda Locklear, attorney for the Lumbee Tribe. Michell Hicks, principal chief, Eastern Band of Cherokees, and Dr. Jack Campisi, Anthropologist Consultant to the Lumbee Tribe of North Carolina.

I would like to welcome the witnesses. We will begin with Chairman Goins. Your complete written statements will be made part of the record, without objection. Please proceed, Chairman Goins.

STATEMENT OF JAMES ERNEST GOINS, TRIBAL CHAIRMAN, LUMBEE TRIBE OF NORTH CAROLINA, ACCOMPANIED BY ARLINDA F. LOCKLEAR, ESQUIRE, ATTORNEY FOR THE LUMBEE TRIBE OF NORTH CAROLINA

Mr. GOINS. Good morning, Chairman McCain and Vice Chairman Dorgan, Senator Thomas. Thank you for the opportunity to express my people's strong support for S. 660.

I bring the Lumbee Tribe's greetings and appreciation to our great friends, Senator Dole and Senator Burr. The tribe and the members who are here today express our gratitude for this hearing.

I have with me this morning Dr. Jack Campisi, an anthropologist who is a nationwide expert on non-federally recognized tribes, and who has years of experience with us Lumbees; and Arlinda Locklear, the tribe's lawyer on the recognition effort and also a member of the tribe.

I am Jimmy Goins, chairman of the Lumbee Tribe. All three of us have written statements that I request be made part of the hearing record.

The CHAIRMAN. Without objection.

Mr. GOINS. Dr. Campisi will orally summarize his statement and all three of us will be available for questions from the committee.

My kinsmen signed a petition that first sought Federal recognition for our people in 1888. The State had just recognized the tribe and set up a school system for the Lumbee children. But the tribe had too little funding and asked Congress for help. Congress referred our petition to the Department of the Interior, and the Department said no to our people. The Department said it would cost too much.

Ever since, the Department has opposed recognition of the Lumbee Tribe because of the cost of service, not because we are not an Indian tribe. Since 1888, our people have repeatedly sought Federal recognition from Congress directly and from the Department of the Interior.

The most insulting process we were subjected to came from the Department of the Interior. After the passage of the Indian Reorganization Act, the Department told our people that if we could be certified as one-half or more Indian blood we would be able to organize under a constitution and become recognized. In 1936, the Department sent anthropologists down to our community to check blood quantum. Only 209 of our people agreed to submit themselves to this examination. He checked the blood, he measured their teeth, he looked at the appearance of their cheek bones, then he performed the famous pencil test to test the texture of their hair.

Out of the 209, he certified 22 individuals that now whose descendants, hundreds of their descendants, are now enrolled with the Lumbee Tribe, and two of their descendants have previously served on our tribal council. But in the end, the Department refused to allow these individuals to organize, once again denying the recognition of the tribe.

In 1956, Congress finally did pass and act for the Lumbees. But it gave with one hand and took with the other hand. The bill started out as a recognition legislation. But when the Department of the Interior asked Congress to amend the bill to include termination

language, the Congress did so, putting the tribe half in and half out of the Federal relationship.

Because of the 1956 Lumbee Act, only Congress can now extend full Federal recognition to the tribe. S. 660 would do this.

The tribe has waited long enough to be treated just like all other Indian tribes. It has been more than 120 years now. The tribe has been processed and studied enough. I have here a stack of studies on Lumbee history, all done by Congress and the Department. I ask the committee to make these a part of the record here today. It is time for all this to end and for Congress to complete what they started in 1956 by enacting S. 660.

When my Government needed me in Vietnam, I was ready to go. And I was acknowledged as an American Indian. My enlistment and discharge papers identified me as such. I did faithful service and was awarded the Purple Heart and the Bronze Star. But on my return to my country, to my country, my Government refused to acknowledge my people for what they are. This pains me and every other Lumbee veteran that fought for our country. Now we find ourselves having to fight against our country.

Finally, let me put to rest some of the myths about our people, myths that some use to oppose our recognition effort. Let's start with the State of North Carolina recognized us in 1885, but under different names. We did not choose those names. Let me repeat that. We did not choose those names. The State legislature of North Carolina chose those names. The only name we ever chose was Lumbee, derived from the name of the river where we always lived, which is not uncommon among Indian people. But whatever the name, we have always been there and are the same people today.

Second, some say Congress should not recognize a tribe, only the Department should. But this denies reality. The majority of tribes recognized today, including the Eastern Band of Cherokee, were recognized by Congress, not the Department of the Interior. Why shouldn't Congress recognize the Lumbee?

Now, some worry about the cost of recognizing the Lumbee Tribe, the same reason that the Department of the Interior has always used to oppose us. That is really not a fair recognition for opposing recognition of the tribe. And even if it was fair, the costs are usually inflated. We have used the number of members who residing in the service area, about 34,000, not the entire membership of 53,000, to determine the cost of service. This is accurate, since services are usually available only to those in the service area. And the Lumbee Tribe has always indicated willingness to work with the Congress, as only the Congress can do, to deliver those services in a responsible way.

And finally, the most insulting basis for some who oppose our bill is to say we are not even Indian. They don't know us. They haven't been in our communities. And yet they dispute every Congressional and Federal record on our people.

We will match the strength of our history and community against any other Indian tribe. As Dr. Campisi will testify, we are in fact an Indian tribe. Gentlemen, the truth is that we are an Indian tribe. The Tribe knows this truth, and we believe Congress' records on us demonstrate this truth.

Now on behalf of the Lumbee people, I urge this committee to report our bill out favorably. Thank you.

[Prepared statement of Mr. Goins appears in appendix.]

The CHAIRMAN. Thank you very much.

Chief Hicks, welcome.

STATEMENT OF MICHELL HICKS, PRINCIPAL CHIEF, EASTERN BAND OF CHEROKEES

Mr. HICKS. [Greeting in native tongue.] Hello and good morning, Chairman McCain, Vice Chairman Dorgan, members of the Committee on Indian Affairs, and with deepest respect to our Senator Dole and Senator Burr from our home State of North Carolina.

Thank you for allowing me to testify today on behalf of the Eastern Band of the Cherokee. The Eastern Band is a federally-recognized tribe based on the Qualla Boundary in Cherokee, NC. We have 13,500 members, and we are the largest federally recognized tribe east of the Mississippi River. We share a common language and deeply held cultural identity with two other Federally recognized tribes, the Cherokee Nation and the Keetowah Band of Cherokee based in Oklahoma.

The Cherokee tribes have a long history of dealings with the United States. Of course, some of that history, Mr. Chairman, with all due respect, was less than honorable. In the 1830's, thousands of Cherokees, both young and old, died when the U.S. Army rounded up tribes in the east and forced them to the west. We call that travesty The Trail Where They Cried. The Eastern Band's ancestors were the Cherokees who resisted that trail of tears and some who found their way back to the Great Smoky Mountains.

For centuries, the Cherokee people have fiercely protected our identity. We have a living, breathing culture with unique spoken and written language. Many have tried to take our language. Many have tried to take our culture. But none have succeeded. Our long-defended identity is threatened by several groups throughout the southeast, the east and the north, who claim or have at some point claimed to be Cherokee, as we have heard today, and whose legitimacy as such is questionable at best.

We believe that the Lumbee are one of many groups who fall into this category today, again as we have heard. Since 1913, over 90 years ago, the Eastern Band has been concerned about this issue of recognition. Long before gaming, in 1913, long before they took the name Lumbee, this group sought recognition from the State of North Carolina as the Cherokee Indians of Robeson County. Over our opposition, that recognition was granted, and for more than 40 years they were State recognized as a Cherokee tribe.

In 1924, the Lumbee sought Federal recognition from the United States Congress as "The Cherokee Indians of Robeson and Adjoining Counties." And in 1932, they sought once again to be recognized by Congress as a Cherokee tribe. Congress rejected both of those attempts. Today, all three of the federally recognized Cherokee tribes who make up the greater Cherokee Nation strongly oppose this legislation. Furthermore, the United South and Eastern Tribes and other tribes from across the country oppose today's legislation.

Mr. Chairman, let me give two specific reasons why we oppose this bill. Then I would like to offer a fair solution for the Lumbee. First, the integrity of our long government-to-government relationship with the United States is undermined when politics and emotion, rather than the facts about tribal identity, drive the Federal recognition decisions.

And second, Mr. Chairman, the Office of Federal acknowledgement at the Interior Department, not the Congress, has the experts to make determinations based on the facts about tribal identity and tribal recognition. And Mr. Chairman, there are several facts that I would like the committee to consider today.

First, the fact is that the Lumbee group has pursued legislation like this at least 13 times over the last 100 years. And Congress has rejected every attempt. But here we are again. The fact is they have sought recognition as four different tribes, self-identifying themselves as the Croatan, the Siouan, the Cheraw and again we have heard today, the Cherokee people, the Principal People. The fact is that experts say those claims don't make sense, because those tribes represent three completely different linguistic groups. The fact is, Mr. Chairman, those experts say the claimed ties to the historic Cheraw Tribe are tenuous at best.

Mr. Chairman, there is an established administrative process to review these issues and make a fact-based decision. For these reasons, we strongly oppose the passage of S. 660, and we urge you to consider another approach, one that will give the Lumbee a fair and equitable and timely chance to meet the established criteria at the Office of Federal Acknowledgment. If they can meet those standards, which are reasonable, but they are complete, then they will be recognized as a tribe and will have earned all the benefits of Federal recognition, as the other 561 tribes have.

Mr. Chairman, please remember that the Lumbee submitted a petition for acknowledgment to the Interior Department on January 7, 1980. On November 20, 1989, the Interior Solicitor determined that they could not complete the process because of the 1956 Lumbee Act. But Mr. Chairman, that was over 17 years ago. If the Lumbee had agreed to legislation giving them a fair shot at the administrative process, then I am sure that they would have an answer today.

The question we ask is whether the Lumbee want to avoid the administrative process because they believe it is unfair, or because they know it will truly examine the factual issues about Lumbee tribal identity. The Eastern Band of Cherokee Indians and its sister tribes of the Cherokee Nation urge you to protect the integrity of all Indian nations and oppose this legislation.

Mr. Chairman and committee, I want to thank you for the opportunity to testify today. It is a privilege to be here. May God bless each of you and your families. [Remarks in native tongue.]

[Prepared statement of Mr. Hicks appears in appendix.]

The CHAIRMAN. Thank you.

Dr. Campisi.

STATEMENT OF JACK CAMPISI, ANTHROPOLOGIST CONSULTANT, LUMBEE TRIBE OF NORTH CAROLINA

Mr. CAMPISI. Good morning, Mr. Chairman and members of the committee. I have worked with the Lumbee Tribe for more than 20 years, conducting field research and analyzing historical records. It is my professional opinion that the Lumbee Tribe exists as an Indian tribe, and has done so from first sustained contact.

I based my conclusion on three main factors that I will summarize from my more detailed written statement. First, the historical record is clear that the Lumbees descend from the historic Cheraw Tribe. John Herbert, the commissioner of Indian Trade, drew a map in 1725 that placed the Cheraw Tribe in the same location as the modern day Lumbee Tribe. As you can see on this map, land records dating back to the 1730's show the sale of Cheraw tribal land as marked where Cheraw old field is located. A newspaper account from 1771 identifies a Cheraw-settlement located on Drowning Creek. In 1809, the State of North Carolina changed the name of Drowning Creek to Lumber River.

Finally, a 1773-document lists members of the Cheraw community showing the same uncommon surnames typical of the Lumbee Tribe today, including Locklear, Grooms, Chavis, and Dees. In the first Federal census of 1790, these same family names appear in the same place on Drowning Creek. Today's Lumbee Indians trace descent directly from these families. In fact, the oldest continuously documented Lumbee community, now known as Prospect, is located on the Cheraw tribal lands.

Every expert who has examined Lumbee history has come to the same conclusion, that the Lumbees descend from the Cheraw and related tribes. Dr. John Swanton, of the Bureau of American Ethnology, did so in 1934. Dr. James Merrill, Professor of History at Vassar College and an expert on southeastern Indians, did so in 1989, as did Dr. William C. Sturdivant, the editor of the Smithsonian Handbook on North American Indians and the chief ethnologist at the Smithsonian Institution, all of this regardless of changes in names imposed by the State.

Second, in my experience, I have never seen a stronger Indian community than exists among the Lumbee. To demonstrate this, I did a 1 percent random sample of Lumbee tribal members in 2002. The roll at that time consisted of approximately 53,000 members. This sample revealed that 64.6 percent of the members live in the geographical core area defined as within a 15 mile radius of Pembroke, NC. The evidence clearly shows that the majority of the Lumbee Indians live in communities that are exclusively or nearly exclusively Lumbee.

I used the same random sample to determine an in-marriage rate of Lumbees. The random sample showed that 70 percent of Lumbee marriages are between tribal members. The historical record shows comparable high levels of geographic concentration and in-marriage. From these data, it is fair to conclude that the Lumbee Tribe demonstrates a remarkable rate of social cohesion, higher than many federally recognized tribes.

Third, the tribe has a long history of tribal governance and intense political activity. Since 1885, the tribe has maintained an active political relationship with the State of North Carolina. For

nearly 100 years, the tribe operated its own school system, established by the State legislature. Its leaders have persistently sought to secure Federal recognition since 1888 and they has over its long history vigorously defended the tribe.

Let me give a couple of examples. In 1888, 54 tribal members signed a petition to Congress seeking Federal assistance in the funding of the tribe's school system. Virtually every Lumbee present today behind me descends from one or more of those tribal leaders. On another occasion, and also in defense of their schools, Lumbee tribal leaders lobbied the State of North Carolina to set aside a 1913-attorney general's opinion that held that Robeson County Board of Education could overrule the tribal leaders' decisions about enrollment in the Lumbee schools. In 1921, the State legislature confirmed the tribe's authority to decide enrollment in its schools.

One last example of tribal leadership occurred in 1958 when the Ku Klux Klan announced a rally in the heart of Lumbee community. Lumbee leaders led a protest of the rally and dispersed the Klan.

Lumbee churches have been and remain at the core of Lumbee leadership. There are more than 130 all-Indian churches among the Lumbees in Robeson County, the overwhelming majority with Lumbee ministers. Historically, leadership of the tribe arose out of the Lumbee churches. Most recently, the church leaders directed the effort to adopt a formal tribal constitution. Following a church-organized constitutional assembly, the tribe adopted its constitution in a special referendum in 2001.

The churches continue to be the wellspring of political leadership and the central feature in continuing tribal identity. The extensive record of the tribe's history in the 18th, 19th, and 20th centuries establish that the Lumbee Indians constitute an Indian tribe, even as that term is defined in the Department of the Interior's regulations. The tribe fails only on the last criterion in those regulations. That is, Congress has prohibited the Department from acting on the tribe's petition in the 1956 Lumbee Act. Thus, Congress can enact on S. 660 with full confidence that the Lumbees are in fact an Indian tribe.

Thank you, Mr. Chairman.

[Prepared statement of Mr. Campisi appears in appendix.]

The CHAIRMAN. Thank you very much, Doctor.

Chairman Goins, would you like to respond to Chairman Hicks' comments?

Mr. GOINS. The first thing I would like to say is that the implication was, were we afraid of the BIA process. When I finish, I am going to ask Arlinda to sum it up.

But we don't trust the BIA. In 1934, they said themselves that we were descendants of the Cheraw Tribe. Then in 1956, if it wasn't for the Department of the Interior, we wouldn't be here today. It was the very insistence of putting the termination language in the 1956 act that we are here.

So why would we trust that they have changed their mind now?

The CHAIRMAN. Wasn't it the Congress that passed the 1956 act that called for termination?

Mr. GOINS. Yes; but it was——

The CHAIRMAN. Then why do you trust the Congress?

Mr. GOINS. But it is our understanding that Congress was influenced by the Department of the Interior to add the termination language, not the Congress itself.

Ms. LOCKLEAR. If I may, Mr. Chairman, the chairman is correct that the legislative history of the 1956 Lumbee Act shows that as introduced, it did not contain termination language. It was intended as a straightforward recognition bill. It was amended in the Senate at the request, recommendation of the Department of the Interior to include the termination language expressly for the purpose of precluding the delivery of services to the tribe.

And if I may add very briefly, Mr. Chairman, that is consistent with the entire history of the Lumbee's effort. Several witnesses have spoken today about the number of bills that have been introduced during the period 1899 to 1956 for the purpose of achieving recognition, the suggestion being made that those bills failed for the reason that the tribe simply didn't qualify as a tribe. That is not in fact the case. The legislative history demonstrates that those bills failed principally because of the persistent opposition of the Department of the Interior.

The CHAIRMAN. Well, in all due respect, the Congress does not carryout the dictates of any department of Government. We are appointed as a separate body to deliberate and decide with the input of various agencies of Government. I have been here for more than 20 years and I have never followed the dictates of any branch of Government. We have received their advice, their counsel and their recommendations. But they do not dictate to us.

Chairman Hicks, how did the Eastern Band of Cherokee become recognized?

Mr. HICKS. Mr. Chairman, I would like to respond by saying first of all, there has never been a question about the Cherokee people. It is true that the Cherokee were recognized in 1868 by a Federal process. But you may recall, as in my testimony, that the Cherokee have had long dealings with this Federal Government. And again, I want to highlight that there has never been a question about the Cherokee people.

The CHAIRMAN. Well, my question was, how did they become recognized?

Mr. HICKS. Through the Federal process. And I also want to highlight, Mr. Chairman

The CHAIRMAN. Not through a legislative act?

Mr. HICKS. Through a legislative act. But I also want to highlight that at that point in time, there was not an acknowledgment process.

The CHAIRMAN. Chairman Goins, have you thought about the issue of gaming operations in the event of recognition?

Mr. GOINS. Senator McCain, we started this process in 1888. That has never been an issue. Gaming came about almost 100 years later. This is not about gaming. This is about jobs, health care and just doing what is right for the Lumbee people. This is about honor and dignity. No, gaming is not an issue with us.

The CHAIRMAN. I would appreciate an answer to the question. Has it been a consideration as you have moved forward with this process?

Mr. GOINS. No, sir.

The CHAIRMAN. Thank you very much.

As I understand your testimony, Chairman Goins, you have a membership roll. How many do you have on that roll at this time?

Mr. GOINS. We can give you——

The CHAIRMAN. Roughly.

Mr. GOINS. Roughly around 53,000, total membership.

The CHAIRMAN. Thank you.

I understand that if legislation were passed giving you an opportunity to go through the process, your review on that, at least according to your opening statement, would be that it is too long and too difficult a process, is that correct?

Mr. GOINS. Yes, sir.

The CHAIRMAN. Thank you. Senator Burr.

Senator BURR. Thank you, Mr. Chairman. I am not sure that anybody up here has ever accused the chairman of following any dictate from any of the agencies. His record is intact on that. [Laughter.]

Chief Hicks, welcome.

Mr. HICKS. Thank you, Senator.

Senator BURR. I find it unfortunate that we have two North Carolina entities that don't necessarily find agreement. And let me say this for Chairman McCain's point, I personally believe we are long past the point of a normal process. Because to suggest that we took any entity and put them through a criteria that was established well after the Congress spoke, that even if they were prioritized to the top of the line would take 15 years I think is just an additional injustice that would be at the hands of the Congress. So my hope is that members will look at this in the context of the precedent that we as a body have done in the past. And as you said, the Cherokees were the result of recognition, legislative recognition of the Congress of the United States.

Since 1960, we have had 15 recognitions by the Administration, administrative process. We have had 16 recognitions by Congressional action. Chief Hicks, in 1972, when the Tonto Apache Tribe of Arizona was Congressionally recognized, did the Cherokees object to that, to your knowledge?

Mr. HICKS. To my knowledge, Senator Burr, I don't believe the Cherokees objected to that. However, I would like to say that each one of these individual situations that you may bring to light today is based on its own merits.

Senator BURR. And clearly, the points that you raised relative, two of them, to the Lumbees, could be applied to any of the 16 that I just referred to. In 1978, the Modoc Tribe of Oklahoma, you didn't object to. In 1982, the Cow Creek Band of the Umpqua Indians of Oregon, you didn't disagree with Congressional action.

As a matter of fact, in 1987, what was the original Tiwa Tribe, recognized and terminated in the same legislation as the Lumbees, were Congressionally recognized but the Cherokees did not object to that recognition. In 1988, the Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan, Congressionally recognized, no objection. The Coquille Tribe of Oregon in 1989, the Pokagon Band of the Potowatomi Indians of Michigan in 1994, Little River Band of Ottawa Indians of Michigan, Little Traverse City

Band of Indians, all in 1994. No objections. There are objections as it relates to Congressional recognition of the Lumbees.

Now, you raised three points of objection. The third point I find somewhat unique, because you said the cost was just too significant. What was the cost of Cherokee recognition? Do you have any idea?

Mr. HICKS. The cost of Cherokee recognition, when thousands of the people, thousands of people died on the Trail of Tears, with all due respect, Senator. That is the cost of the Cherokee recognition.

Senator BURR. But you put the objection to the Lumbees, the cost to the American taxpayer. We didn't, I don't think, as a Congress, apply a cost to Cherokee recognition, a cost to the American taxpayer. We looked at what we thought was an injustice and we tried to correct the injustice. I think that is what we are here today to do. I think we look at a mistake in 1956 and we look back and we say, had in 1960 Congress been smart enough to recognize the mistake they had made in recognition and termination all in the same piece of legislation, they would be done today. Had they recognized in 1975, 1985.

I am not here to try to second guess why brilliant people weren't here then. And I am also here to recognize the fact that brilliant people aren't here today. But as Chairman McCain has proven over and over again, sometimes you are at a certain place in time and you are asked to deal with things from an equality standpoint. I think that is where we are, as it relates to this.

I think I would ask you, do you think the Lumbees, since 1956, have been treated fairly and equitably?

Mr. HICKS. Mr. Chairman, can I respond?

Senator BURR. The question was to you.

Mr. HICKS. I want to just point out in regards to your argument with the 1956 act, I think it was very clear at that point in time, with the other transactions that took place, and as your example with the Tiwa, it was very clear and Congress was very clear in regard to recognition and termination at that point. In regard to the 1956 act as it applies to the Lumbee, again, that act, as I interpret it and many others have, is that it only commemorated a name change and did not recognize, nor did it terminate an Indian tribe.

The second point, Senator, is the CBO has calculated the effect of potentially the third largest Indian tribe in the United States to be close to, over a 4-year period, $700 million to the budget of this U.S. Government.

Senator BURR. But you, Chief Hicks, have suggested that what Congress should do is to follow the BIA process, seven steps of criteria, of which cost is not one of them. But you suggest that we should incorporate cost into whether we get involved or not.

My only point is to point out that Congress will have to make a decision of the chairman, the vice chairman, both of whom, I trust their experience in this extremely much. If in fact the Congress of the United States chooses the BIA process, they may be recognized. I will still, as a member, look back and say that we did an injustice to a group who sought recognition and we may go then, not just since 1956 to the year 2006, but 15, 20, or 25 years from

now, before they might even find out yes or no. I think it is an injustice today, I think it would be an injustice to go that long.

Let me, if I could, Mr. Chairman, just turn to Ms. Locklear for a second. I would like you to fill in any blanks that may have been left open by Mr. Fleming as it related to the Indian Reorganization Act in the 1930's, the Indian Affairs recommendation that Lumbee set land aside. Can you shed any light on that whole transition?

Ms. LOCKLEAR. Yes, Senator; there is an extensive administrative record in that regard. Shortly after the passage of the Indian Reorganization Act, Mr. Fleming is correct, the Department did make an effort to outreach to groups all over the United States, including the Lumbee Tribe. There was correspondence between Commissioner Collier at the time where Commissioner Collier encouraged the tribal leadership, to the Lumbee tribal leadership, to contact the Solicitor's office at the Department of the Interior with regard to the possibility of obtaining recognition under the Indian Reorganization Act.

They did so and received a letter from Felix Cohen who was the Solicitor of the Department of the Interior at the time, and of course, the preeminent author of the leading handbook on Federal Indian law. And Mr. Cohen wrote directly to the Lumbee leadership advising that the Indian Reorganization Act was available to the tribe, that if they were able to obtain certification of members of the tribe, as one-half or more Indian blood, those individuals could request the Department to take land into trust, adopt a constitution and thereby become organized.

The tribe immediately did so and the Department dispatched Dr. Seltzer to the community in 1936 to engage in the process that Chairman Goins described. That did result in the certification of some individuals as half blood in the community. Only some, because very few Lumbees decided to subject themselves to that intrusive examination.

At the end of the day, though, that failed as well, because the Department declined to take land into trust for the tribe, so that the tribe could not adopt a constitution. So that is yet again another administrative process that the tribe attempted to take advantage of, but failed because the Department opposed recognition of the tribe.

Senator BURR. And can you, Ms. Locklear, shed any light on the 1912 and 1915 visits by the individuals?

Ms. LOCKLEAR. Yes, Senator Burr; those came in response to bills that had been introduced by Congress to recognize the tribe. And let me add as a footnote there that if you look at the history of those bills, and much has been made about the various names that the tribe sought recognition under, or had been denominated by. Those were not names that were selected by the tribe. Those were names that were imposed on the tribe by the State of North Carolina. And the history of the recognition effort by the Lumbees shows that as soon as the State of North Carolina passed a State law recognizing the tribe under a certain name, then the delegation, the Congressional delegation introduced virtually the identical bill that the State had passed to obtain Federal recognition on the same terms.

The tribe was never asked itself what its name would be until 1953, when it finally adopted the name Lumbee. Those studies followed two of those bills that had been introduced by the Congressional delegation to obtain recognition from the Congress shortly after recent legislation by the State. And at the Congress' request, the Department of the Interior dispatched special Indian agents to Robeson County to conduct an investigation of the tribe. Both of those investigations, which are included in the material that Chairman Goins asked to be made a part of the record, clearly demonstrate the Indian ancestry of the community, the strong ties of the community, the political authority and leadership within the community. In fact, one of those reports says that in the opinion of that investigator, the majority of the Indians in Robeson County are probably three-quarters or more Indian blood.

Some of those reports actually recommended the Department support recognition of the tribe. But again, largely because of reasons of cost, the Department declined to do so. They opposed those bills and the bills were defeated.

Senator BURR. Ms. Locklear, thank you for the clarification. It is incredibly apparent that Congress has had more involvement in this process of Lumbee recognition than just the 1956 act. It dates back quite a ways.

Mr. Chairman, let me point out that we are blessed in North Carolina both with the Lumbees and the Eastern Band of the Cherokees, more importantly with the leadership of Chief Hicks and of Chief Goins. These two organizations are represented in an incredibly effective way, and I would like to thank both of them for being here as well as Mr. Campisi.

Mr. Chairman, I yield.

The CHAIRMAN. Thank you.

Chief Hicks, how many people died in the trail of tears?

Mr. HICKS. Estimates are about 5,000 people, sir, about one-third of the Cherokee Nation at that point in time.

The CHAIRMAN. Senator Dorgan.

Senator DORGAN. Mr. Chairman, thank you.

First of all, thanks to those of you who have come today to appear as witnesses. I know that many have driven some ways to be a part of this. As I indicated when I gave an opening statement, when I tried to get a time line of what all this means, it goes back centuries. So might I ask how many are here from the Lumbee Nation, Lumbee Tribe?

[Show of hands.]

Senator DORGAN. Let me say that obviously there is some controversy here. These are not easy issues, but I think all of our witnesses have presented some very significant information to us with which Senator McCain, myself and other members of this committee can begin to evaluate what the proper response is. And I thank Senator Burr and our colleagues who have appeared, the Congressman and Senator Dole.

So I think rather than ask a series of questions, I am scheduled to speak to an Indian education summit that is occurring now, so rather than ask a series of questions, I just want to say a special thank you for the presentations you have made. I think they are heart-felt and they address a very important issue and one that we will consider seriously. Thank you very much.

The CHAIRMAN. I thank the witnesses. This hearing is adjourned.

[Whereupon, at 11:15 a.m., the committee was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF JACK CAMPISI, ANTHROPOLOGIST CONSULTANT, LUMBEE TRIBE, NORTH CAROLINA

I hold a doctorate in anthropology, have dedicated my career to research in tribal communities, and have taught these subjects as an adjunct professor at Wellesley College. Between 1982 and 1988, I conducted a number of studies for the Lumbee Tribe of North Carolina. Each of these included fieldwork in the community for periods of time varying from 1 week to 3 weeks. In all, I spent more than 20 weeks in Robeson County carrying out a variety of research projects. Besides being responsible for synthesizing the thousands of pages of documentation collected during the 10 years it took to carryout the archival research, and for designing and carrying out the community research, I had the honor of writing the petition that was submitted on December 17, 1987, to the Branch of Acknowledgment and Research [now the Office of Federal Acknowledgment] under the Federal regulations that govern acknowledgment of eligible Indian tribes, 25 C.F.R. Part 183. Specifically, I drafted the Historical Narrative section, and researched and wrote the sections dealing with community and political continuity. Subsequent to the completion of the petition, I continued research with the Lumbee Tribe, most recently in 2002. The material that follows is based on my 20 years' research on the tribe's history and community.

Over the course of the past 25 years, I have worked on 28 tribal petitions for Federal acknowledgment. None has exceeded the Lumbee petition in documentation and no group has exhibited more evidence of community cohesion and political continuity than the Lumbee Tribe. It is my professional opinion that the Lumbee Tribe exists as an Indian tribe and has done so over history. I will outline below the main arguments and evidence in support of this conclusion.

At the time of sustained white contact, there existed a Cheraw-Indian community precisely where the Lumbees reside today. A 1725 map made by John Herbert showed the Cheraw Tribe between the Pee Dee River and Drowning Creek. In 1737, John Thompson purchased land in the same general area from the Cheraw, and in 1754, Governor Arthur Dobbs of North Carolina identified on "Drowning Creek on the head of Little Pedee 50 families a mix Crew [or Breed] a lawless people filled the lands without patent or paying quit rents shot a surveyor for coming to view vacant lands being enclosed by great swamps." A document written in 1771 refers to "the Charraw Settlement" on Drowning Creek, and another document dated 1773 contains a list of names that connect this community to the Cheraw in 1737. Some of the same surnames as today's Lumbee population appeared on the list: Ivey, Sweat, Groom, Locklear, Chavis, Dees, and Grant (see Dr. James H. Merrill letter to Congressman Charlie Rose, October 18, 1989 for further discussion), attached to this statement. The 1790 Federal census identifies families with these same surnames around Drowning Creek and modern day enrolled Lumbees can prove genealogical descent from those Indians. Thus, the community mentioned in the references cited in above and the community of Indians described in 19th century documents were the same, and were the antecedents of today's Lumbee Tribe.

The Federal census records are by far the best source of evidence concerning the early Lumbee community. It is clear from the names of the heads of households that the area of Robeson County around Drowning Creek, renamed the Lumber River in 1809 by the State legislature, was occupied almost exclusively by tribal members. Based on the 1850 census (the first census to provide the names of the individual's resident in each household), it is possible to describe the residency patterns of the Lumbee community. Thus, there can be no doubt that there was an Indian community present along Drowning Creek from the mid-1700's, separate from other communities in the area. It is also certain that this community had a well-established leadership structure and that it managed its affairs with relative autonomy.

The oldest Lumbee community that can be continuously documented was called Long Swamp, now called Prospect and located within the core area in Pembroke and Smith townships the heart of the modern day Lumbee community. It is also located right in the heart of the so-called old field of the Cheraw, documented in land records between 1737 and 1739. The earliest census records show the presence in this community of an extended Locklear family continuously since 1790. Members of this extended family appeared among the tribal leaders, both by descent and marriage, who petitioned Congress for Federal recognition in 1888. Members of this extended family were also among those who were tested by physical anthropologist Carl Seltzer in 1936 for blood quantum. This includes Duncan Locklear and Henry Locklear, whose pictures are attached. The tribe's attorney, Arlinda, Locklear, is also descended from this extended family.

Federal census and State court records document the continued existence of a separate Indian community meeting in Robeson County during the ante-bellem period. Although generally classified as free non-whites during the post-Revolutionary War years, the Lumbees appear to have been treated more generously than free blacks, being allowed to vote without challenge and to own property. However, in the 1830's two seemingly unrelated actions—one by the national government and the other by the State of North Carolina—converged, with disastrous impact on the Indians of the State. In 1830, Congress passed legislation providing for the removal of all Indian tribes east of the Mississippi River to land set aside in the "Indian Territory" in Oklahoma. Tribes such as the Cherokee and Creek were forced to leave. In the climate of removal, it did not benefit a tribe to overtly manifest its identity. Lumbees, like other Indians in the State, held their land in severally, but often without patents. Thus, they were in a precarious position.

Added to the problem of tribal survival was the steadily worsening relationship between whites and "people of color" in North Carolina following Nat Turner's uprising in 1831. In 1835, the State passed a constitutional amendment denying tribal members rights they had previously enjoyed. Many refused to abide by the changes and some were charged with violations. One case, in particular, went far toward recognizing the Lumbees as Indians. In 1857, a William Chavers was arrested and charged as "a free person of color" with carrying a shotgun, a violation of State law. He was convicted, but promptly appealed, claiming that the law only restricted free Negroes, not persons of color. The appeals court reversed the lower court, finding that "Free persons of color may be, then, for all we can see, persons colored by Indian blood, or persons descended from Negro ancestors beyond the fourth degree." The following year, in 1859, in another case involving a Lumbee, the appeals court held that forcing an individual to display himself before a jury was tantamount to compelling him to furnish evidence against himself. These cases generally resulted in the Lumbees establishing a special status under the law as Indians, one outside the limitations placed on others who were classified as "free persons of color." From 1860 on, there is abundant evidence of tribal activity. During the Civil War the Lumbee Indians were prohibited from serving in the Confederate Army and were, instead, conscripted into labor gangs and assigned to build the fortifications at the mouth of the Cape Fear River to protect the city of Wilmington. The conditions were harsh and the treatment brutal. Many Lumbee men escaped and returned home where they hid out in the swamps of Robeson County. Besides Lumbees, the swamps provided a refuge for Union soldiers who had escaped from nearby Confederate camps. Because of their treatment by the Confederacy, and more particularly the Home Guard, the Lumbees gave assistance and protection to the Union soldiers. As the number of Lumbees and Union soldiers "laying out" increased, so did the burden of feeding them. With so many men in hiding or conscripted, there were few to do the farm work. Gradually, the attitude of the Lumbees changed from a passive one to one marked by belligerence. In short order, a band emerged, led by the sons of Allen Lowrie.

Matters came to a head in 1864 when members of the Allen Lowrie family and the local authorities came into armed conflict and a number of individuals on both sides were killed. In March 1865, the Home Guard captured Allen Lowrie and his

son, William, and after holding them for a short time, executed them in a field near the father's house. This was followed by a virtual reign of terror during which the Home Guard tortured members of the Lowrie family and their kinsmen in order to learn the whereabouts of the band. With the death of his father and brother, Henry Berry Lowrie, who was barely 20 years old, took over the leadership of the band. For the next decade, led by Henry Berry Lowrie, and with the Indian community's support and protection, the band fought against local authorities who sought by a variety of means to oppress the Indian population in Robeson County. The Lowrie Band led a struggle that ended only after the disappearance of its leader in 1872, and the capture and death of the last of the band members in 1874. Henry Berry Lowrie remains a folk hero to the Lumbee Indians and his story is told every year in an outdoor drama called "Strike at the Wind." By the 1870's, the Lumbees were openly acknowledged to be Indians. While the Lowrie Band was carrying out its defense, others in the tribe were taking equally effective actions to assert their independence. Lumbees were denied access to the white schools in the county and they refused to attend the schools for blacks. This impasse was broken in 1885.

In 1885, the State of North Carolina formally recognized the tribe as the Croatan Indians as a means of addressing the school issues. The State statute established a school system for the children of tribal members only. Tribal leaders exercised complete control over who could attend the schools. Each Lumbee settlement had a school committee that determined eligibility. In order to be eligible, an individual had to prove Lumbee ancestry back through the fourth generation, that is, back to the 1770's. Because of the rigorous manner in which these rules were enforced in the 19th century, school enrollment records provide an accurate basis for determining present day membership.

In 1887, tribal members petitioned the State legislature again, requesting the establishment of a normal school to train Indian teachers for the tribe's schools. Permission was granted, tribal members raised the funds, and along with some State assistance, the normal school began training teachers for the expanding Lumbee school system. That normal school has been in operation continually since, evolving into Pembroke State University and, recently, the University of North Carolina at Pembroke.

The tribe had difficulty, though, in supporting the Indian normal school financially. In 1888, the tribe petitioned Congress for assistance for its normal school. The request was sent by the House Committee on Indian Affairs to the Commissioner of Indian Affairs, but no action was taken for nearly 2 years. Finally, in 1890, Commissioner Morgan responded to the tribe, telling them that, "So long as the immediate wards of the Government are so insufficiently provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes." There is no doubt that the Government's rejection of assistance was based solely on economic considerations, the commissioner implying that if sufficient funds had been available, services would have been provided to tribes he referred to as "civilized."

The Lumbees made frequent attempts over the course of the next 50 years to receive assistance from the United States. In 1899, Congressman John D. Bellamy introduced legislation to provide educational assistance for the Croatan Indians (as the Lumbees were then called). Again, in 1910 and 1911, legislation was introduced in Congress to change the tribe's name and to establish ". . . a school for the Indians of Robeson County, NC." To secure information on the tribe, the Indian office sent Charles F. Pierce, supervisor of Indian schools, to investigate. He reported favorably on the tribe, finding ". . . a large majority as being at least three-fourths Indian.'" He described them as being law abiding and industrious and "crazy on the subject of education." Pierce had no doubt that the Lumbees were Indians, or that they were a tribe. Nor did he doubt that Federal educational assistance would be beneficial. He opposed the legislation because, in his words, "[a]t the present time it is the avowed policy of the Government to require States having an Indian population to assume the burden and responsibility for their education, so far as is possible." After lengthy deliberations, the bill passed the Senate, but not the House, because the chairman of the House committee felt that the Lumbees were eligible to attend the various Indian boarding schools.

The tribe continued its efforts to secure Federal educational assistance, and in 1914, sent a delegation to Congress. Another investigation was carried out by the Indian Office at the direction of the Senate. Among other things, Special Indian Agent, O.M. McPherson found that the tribe had developed an extensive system of schools and a complex political organization to represent its interests. He noted that the Lumbees were eligible to attend Federal Indian schools, but doubted that these schools would meet their needs. His recommendation was that if Congress saw fit to establish a school, it should be one emphasizing agricultural and mechanical

skills. Again, Congress took no action. Parenthetically, it should be noted that during this period tribal activity was generally at a low level across the United States. Not so for the Lumbees, who actively involved their congressmen in their efforts to achieve Federal recognition.

During the 1930's, the tribe renewed its efforts to achieve Federal recognition. In 1932, the BIA asked the eminent anthropologist at the Bureau of American Ethnology John Reed Swanton for his professional opinion on the Lumbees. Swanton was emphatic concerning their Indian ancestry, specifying a Cheraw and other eastern Siouan Tribes as their ancestry. A later report by Indian Agent Fred Baker [1935], who had visited the Lumbee community, gave further support that they constituted a tribe. Baker discussed a resettlement project with the tribe in which the Government would acquire land for the Lumbees' support, an alternative to the share-cropping and credit system then the predominant means of Lumbee livelihood. Baker reported to Congress:

It may be said without exaggeration that the plan of the Government meets with practically the unanimous support of all of the Indians. I do not recall having heard a dissenting voice. They seemed to regard the advent of the U.S. Government into their affairs as the dawn of a new day; a new hope and a new vision. . . I find that the sense of racial solidarity is growing stronger and that the members of this tribe are cooperating more and more with each other with the object in view of promoting the mutual benefit of all the members. It is clear to my mind that sooner or later Government action will have to be taken in the name of justice and humanity to aid them.

However, the Bureau of Indian affairs did not support recognition of the tribe, despite four studies that all found the Lumbee to be Indian. The apparent reasons were the size of the tribe and the costs to the Government.

Following the First World War, the Lumbees renewed their efforts, both in the State and with Congress, to improve their educational system. At the State level, they were able to get an appropriation of $75,000 for capital improvements at the Indian Normal School. The issue of the tribe's name had become a concern, and tribal leaders sought legislation in Congress to recognize the name adopted by the state legislature—The Cherokee Indians of Robeson and Adjoining Counties in North Carolina. Such a bill was introduced in the Senate in 1924, and at first received favorable support from the Secretary of the Interior, although Commissioner of Indian Affairs Charles H. Burke opposed the legislation. The Secretary later dropped his support and the bill died.

The efforts to obtain congressional recognition were resumed in 1932. Senator Josiah W. Bailey submitted a bill designating the Indians of Robeson and adjoining counties as "Cherokee Indians," but this effort also failed. The following year another bill was proposed, this time designating the tribe as the "Cheraw Indians," at the suggestion of Dr. Swanton. This name caused a split in the tribe, with those tribal members led by Joe Brooks favoring it, while others, led by D.F. Lowry opposing it, fearing it would jeopardize the tribe's control over its schools. Because of the split in the tribe, the effort failed.

With the passage of the Indian Reorganization Act, Brooks and his supporters attempted to organize the tribe under a Federal charter. Because the tribe did not possess a land base, it was advised by Assistant Solicitor Felix Cohen to organize under the half-blood provision of the act. Cohen urged that the tribe apply for land and a charter under the name of the "Siouan Indian Community of Lumber River." Brooks immediately submitted a proposal that mirrored Cohen's recommendations. Over the course of the next 2 years, the two projects of establishing recognition under the IRA and receiving land through the Bureau of Indian Affairs proceeded, when suddenly, in 1936, the land acquisition proposal was shifted from the BIA to the Rural Resettlement Administration, and the land that was to be purchased solely for Lumbee use, was opened to non-Indians. After a lengthy struggle, Brooks was able to have a part of the land set aside for tribal members, and incorporated under the name of the Red Banks Mutual Association.

The tribe was no more successful in achieving recognition under the IRA. The BIA formed a commission of three to investigate the blood quantum of the Lumbees. In 1936, Dr. Carl C. Seltzer, an anthropologist and member of the commission, visited Robeson County on two occasions and took physical data on 209 Indians applying for recognition as one-half or more Indian blood. He found that 22 met the criteria. They were certified by the Secretary of the Interior. What made Seltzer's work so ludicrous was that in several cases he identified full siblings in different ways, one meeting the blood quantum requirement and the other not.

After the second World War, the Lumbees again tried to achieve Federal recognition of their status as an Indian tribe. The issue of their name continued to cause them problems so, in 1952, the Lumbee leadership conducted a referendum on the

name; at the tribe's request, the State funded and provided other assistance for the conduct of the referendum. Of 2,144 tribal members who voted, all but 35 favored the use of the name "Lumbee," derived from the Lumber River upon which they had always dwelled. Armed with this overwhelming support, the leader of the movement, D.F. Lowry, asked the State legislature to adopt the change. The legislature approved the name change in 1953. The Lumbee Tribe then took its case to Congress, which in 1956 passed the Lumbee bill.

There can be no doubt that for more than 200 years the Lumbees have been continuously and repeatedly recognized as American Indians. This was made explicit by the State in the 1880's and by the Federal Government from at least the beginning of the 20th century on. Federal and State officials have, on numerous occasions, reviewed the evidence and at no time have they questioned the fact that the tribe consisted of people of Indian descent. Federal reluctance to acknowledge the tribe centered on questions involving the extension of services. It was unfortunate that each effort by the Lumbees to clarify their Federal status and to receive services coincided with Federal Indian policy shifts away from the trust relationship: The General Allotment Act in 1887; the Citizenship Act of 1924, and the termination policy of the 1950's. The exception, the Indian Reorganization Act, which could have provided a means to recognition, was subverted by bad anthropology and bureaucratic indolence.

Since the passage of the Lumbee Act, the tribe has faced a steady string of problems, beginning with an attempt by the Ku Klux Klan to intimidate tribal members in 1958 by a rally held within the Lumbee community. The tribe's reaction to this threat was a spontaneous gathering that drove the klansmen from the field and broke up their rally, a confrontation that focused national attention for a time on the Lumbee community. The tribal members have exerted their influence in other ways. In the 1960's they organized voter registration drives that made their influence felt on local politics, electing members of the tribe to State, county, and local public offices. When the local school authorities attempted to integrate only the black and Indian schools in the county, tribal members staged sit-ins and filed lawsuits to prevent the loss of tribal control over the schools. It must be understood that the school system was and is a key and integral part of tribal identity, and any threat to the tribe's control would be resisted. And resisted it was!

While the tribe was struggling to maintain its schools, it was actively opposing the so-called "double voting" system, which allowed whites in the towns [which had separate school districts] to vote with whites in the county, who were in the minority, to maintain white control over the county school system. The students in the county school system were predominantly Indian and black. Tribal leaders took the case to Federal court, and after losing at the district court, won a reversal at the court of appeals, thus ending double voting.

At about the same time, tribal leaders became involved in an issue with high symbolic value to the tribe. In 1972, the Board of Trustees of Pembroke State University decided to demolish the main building on the campus and replace it with another structure. Very quickly, a group formed to "Save Old Main." The group waged a statewide and national campaign to save the building, and just at the point when it seemed that they would be victorious, the building was burned to the ground. The tribe overcame this blow and campaigned hard for the reconstruction of Old Main, which they eventually accomplished. The building was completed in 1975 and is now the site of the University of North Carolina at Pembroke's Native American Resource Center.

Since the end of World War II, the tribe has grown in stature and influence. It was a primary mover in the establishment of North Carolina Commission of Indian Affairs, an organization that has become a model for state Indian commissions. The Lumbees have played an instrumental role in county affairs, where they have represented a moderating influence.

The Lumbee history is one of continual resistance to outside domination, beginning in the 18th century. In 1754, the ancestors of the Lumbees were described as a community of 50 families living on Drowning Creek, "mixt Crew [or breed] a lawless people." In 1773, they were identified as "A List of the Mob Railously Assembled together in Bladen County [later subdivided to create Robeson County]." In the 1830's, Lumbees opposed the laws limiting their freedoms, and in the Civil War and Reconstruction years, under the leadership of Henry Berry Lowerie, they actively opposed, first the Confederate government, and later the United States.

The Lumbees are held together by the same mechanisms and values that have kept them together for the past 100 years or more, mechanisms and values that are typically Indian. First and foremost is the family, which serves as the center of Lumbee social activities. There is continual and widespread visiting among adults, particularly in the homes of parents and grandparents. Often, children live near

their parents on land that was part of the family homestead. Members of families speak to and visit each other on an almost daily basis.

The knowledge that the average Lumbee has of his or her kin is truly astounding. It is very common for individuals to be able to trace their parents' genealogies back five or more generations. Not only are individuals able to name their grandparents, great grandparents, great great grandparents et cetera, but often they can name the siblings of their ancestors, the spouses of their ancestors' siblings, relate where they lived in Robeson County, the church they attended, and the names of their offspring. It is common for an individual to name 200 or 300 individuals as members of the immediate family. Every year there are family reunions that attract members from all over the country. They vary in size from small gatherings of a few 100 close kin to reunions involving 1,000 or more persons.

This kinship pattern is well illustrated by the mapping of all Lumbee heads of household based upon the 1850 Federal census that I prepared for the tribe's petition for Federal acknowledgment. I identified 168 households headed by Lumbees in 1850. These heads of household are the ancestors of present day Lumbees and include descendants of the Locklear extended family documented on the old Cheraw field in 1790. The households were clustered in what is the core area today of the Lumbee Tribe; in some areas, such as the Prospect community, the area was almost exclusively Lumbee. The households showed an extremely high rate of in-marriage, resulting in complex and multiple kinship and marriage ties among the members—a pattern that continues today, as discussed below.

The same kinship pattern is reflected in the list of tribal leaders who appeared on the 1887 petition to the State and the 1888 petition to the Congress. When these individuals' relationships, both marital and kin, are mapped, it again reveals a remarkably tight community. There are multiple ties, as shown by the chart submitted by the tribe with its petition for Federal acknowledgment. Thus, the high rates of marriage and geographic concentration of tribal members shown today, as discussed below, were evident in 1790 and 1850.

Religion also serves to maintain the social boundaries of the Lumbee Tribe. By social boundaries, I mean that there are membership rules, special beliefs and values, a unique history, and a system of political authority and decisionmaking that marks the Lumbees as a separate community. There are more than 130 Lumbee Indian churches in Robeson County, and with one or two exceptions, each has a Lumbee minister. Church membership crosses family lines and settlement areas, thus drawing together different sectors of the tribe.

For the Lumbees, church is more than a religious experience; it is one of their most important social activities. It involves many of them on a daily basis. The churches have Sunday schools, youth organizations, senior citizens' programs, Bible study programs, and chorus practices, to mention but a few of the activities available. It is common for members of the same household to attend different churches, and this behavior further acts to bring the tribal membership together.

An additional and important activity of the churches is to hold an annual "homecoming" during the fall. The event is well advertised and individuals come from great distances to attend. Homecomings are held on Sundays after church service and are open to all Lumbees. Families and friends gather in a church's fellowship hall and share a leisurely meal together. Commonly, there are several hundred tribal members in attendance. Homecomings are informal gatherings which offer opportunities for members of a family from different congregations to join with other families.

The family and the churches also provide the main avenues for political participation. In studying the Lumbee community, it is clear that leadership over the years has tended to surface in the same families from generation to generation, something like a system of inherited leadership. These leaders have gained prominence through their participation in the educational system and as church leaders. In the past, many of the tribe's most dynamic leaders were ministers and teachers. Today, there are other avenues for the demonstration of leadership qualities, but family, education and religious values still command attention.

The importance of the role played by the Lumbee churches in the political life of the tribe cannot be overstated. During the 1990's, it was the leadership from the churches that initiated and sustained the process for preparing a tribal constitution. The delegates to the constitutional convention were selected by the churches and represented every segment of the tribe. After nearly 10 years of meetings, negotiations, court actions, and re-drafts, the constitution was presented to the tribal members for their approval. On November 6, 2001, the tribal members voted on the constitution. Eighty-five percent of those voting voted in favor of adoption. The approved constitution is recognized by the State of North Carolina, and it is the tribe's governing document.

To determine the level of geographic concentration of modern day Lumbees, a random sampling of tribal members was prepared. This is a methodology approved by the BIA in its analysis of a tribe's community in the administrative acknowledgment process. A 1 percent systematic sample was drawn from the Lumbee membership files as of December 2002. Of the 543 files drawn, 29 were found to contain the name of deceased individuals, or were missing from the files, leaving a balance of 514 files. This corresponds closely with the number of active members [52,850] as reported to the Lumbee Tribal Council in December 2002.

The residency pattern of the Lumbee tribal members is divided into three categories: Core area where the tribal members live in either exclusively or nearly exclusively Lumbee geographical areas; those living somewhere in North Carolina; and those living elsewhere. Included in the first category are the following communities in Robeson County: Pembroke, Maxton, Rowland, Lumberton, Fairmont, St. Paul's, and Red Springs. Within these communities are areas that are exclusively [or nearly so] occupied by Lumbees. These areas are reflected on the attached map.

The data show that of the 511 for whom there was residency data, 330 [64.6 percent] live in the core area, 102 [19.9 percent] live in the State of North Carolina, and the 79 [15.4 percent] live elsewhere, almost all of them in the United States. This high degree of geographic concentration establishes the existence of a Lumbee community, even without any further evidence. See discussion below. Based on census and other data, the Tribe demonstrates the same high level of geographic concentration going back well into the nineteenth century, or as far as there are data available.

A second indication of community is the level of in-marriage within a community. Using the same sample, there were 276 records that provided information on the age and marital status of individuals. Of these, 49 were younger than 16, the age selected as marriageable. Another 23 were identified as single, leaving 204 with known marriage partners. Of this number 143 [70 percent] were married to another Lumbee tribal member. Of the remaining 61, 59 were married to non-Indians and 2 were married to members of other tribes. Again, this high in-marriage rate establishes the existence of a Lumbee community, even without any further evidence. See discussion below. As with residency, based on census and other data, it is certain that the Tribe can demonstrate comparably high in-marriage rates for the preceding periods, going back well into the nineteenth century, or as far as there are data available.

As discussed above, the Lumbee Tribe of North Carolina organized, ran, and largely financed its own school system and teacher's training college for nearly 100 years. It has had and continues to have a complex network of churches that exclusively or nearly exclusively serve the tribal members. Many of these churches are tied together by three exclusively Lumbee 10 organizations—the Burnt Swamp Baptist Association [60 churches], the North Carolina Conference of the Methodist Church [12 churches], and the Lumber River Holiness Methodist Conference [9 churches]. The others are non-affiliated. All of these demonstrate clear political authority within the community that is accepted as such by the outside world.

A specific example of tribal political authority in the education context is illustrative. In 1913, State Attorney General Thomas Bickett issued an opinion that the Robeson County Board of Education, then controlled by non-Indians, had authority to overrule a Lumbee Indian school committee's decision to exclude a child who did not meet the tribe's eligibility requirements from an Indian school. This was unacceptable to the tribe. Tribal leaders sought and obtained State legislation in 1921 that reaffirmed the tribe's authority to determine eligibility to attend the Lumbee schools.

Another example of Lumbee political autonomy outside the context of education involved the ultimate political control—the ability to directly elect leadership for the Town of Pembroke located in the heart of the Lumbee community and occupied almost exclusively by Indians. At the time of its incorporation in 1895, State law required that public officials of the town be appointed by the Governor rather than elected—the only incorporated town in the State so governed. Under pressure from Lumbee tribal leaders, this State law was changed in 1945 to allow for direct election of town officials by the residents there, just as in all other incorporated towns in the State. Since then, the mayor and town council of Pembroke have all been Lumbee Indians.

From the 1960's on, the Lumbee leadership sought to maintain control over their schools and college, and when that was no longer possible, to share political power in Robeson County. They instituted lawsuits to abolish double voting, fought to save the college's main administration building, and when that burned down, to have it rebuilt, and elect Lumbee leaders to county positions. The tribe submitted a petition for Federal recognition under 25 CRF 83. Finally, beginning in 1993, the tribe began

the process that eventually led in 2002 to the present constitution and tribal government. The process started with funds from a Methodist Church grant, the delegates were chosen from the participating churches, and the process was deeply influenced by church leaders. The results were overwhelming endorsed by the tribal population in two referenda—1994 and 2001.

In 1978, the Department of the Interior established a regulatory process for the acknowledgment of Indian tribes. 25 C.F.R. Part 83. The Department has determined that the Lumbee Tribe is not eligible for this administrative process because of the 1956 Lumbee Act. However, the history and data establish that the tribe nonetheless meets the seven mandatory criteria used in the Department's regulations to define an Indian tribe. Those seven mandatory criteria are:

(a) identification as an American Indian entity on a substantially continuous basis since 1900;

(b) a predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present;

(c) the petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present;

(d) a copy of the group's present governing document including its membership criteria;

(e) the petitioner's membership consists of individuals who descend from a historical Indian tribe or tribes which combined and functioned as a single autonomous political entity;

(f) the membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe;

(g) Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

Criterion (a) Identification as an Indian entity

This criterion can be met by showing evidence of Federal, State, or county relationships, or identification by historians or social scientists, in books or newspapers, or by relationships with other tribes or national, regional or state Indian organizations since 1900. There are repeated and numerous identifications of the Lumbee Tribe as an Indian entity since 1900, as shown in the summary of the tribe's efforts to obtain Federal recognition above. There can be no serious question that the Lumbee Tribe can and has demonstrated this criterion.

Criterion (b) Community

This criterion provides a number of ways to demonstrate community, foremost among these are rates of marriage and residency patterns. The regulations provide that an Indian group has conclusively demonstrated this criterion by proof that 50 percent or more of its members reside in a geographical area composed exclusively or almost exclusively of tribal members, or that at least 50 percent of its members are married to other tribal members. These are the so-called high evidence standards. As established above, the Lumbee Tribe meets both these high evidence standards, both historically and in modem times. This means that the Lumbee Tribe has conclusively demonstrated community as defined by the regulations, typically the most difficult part of the administrative process for petitioning tribes.

Criterion (c) Political

The regulations provide that if community is proven by high evidence as exhibited by the Lumbee community, this is considered conclusive proof of political authority as well. In other words, the same high evidence of community exhibited by the Lumbee also conclusively demonstrates political authority for the Lumbee Tribe, both historically and in modern times. In addition, the actual evidence of political authority summarized above—from the substantial and active political relationship maintained with the State of North Carolina since 1885, repeated efforts organized by tribal leaders to obtain Federal recognition, and persistent resistance to challenges to tribal independence—show vibrant and effective political leadership within the tribe, both historically and in modern times.

Criterion (d) Governance

This criterion requires that a petitioner submit either a statement describing its system of governance or its governing document. By the adoption of a tribal constitution, one that has been recognized by the State of North Carolina, the tribe clearly demonstrates this criterion.

Criterion (e) Descent from a historical tribe or tribes

As to criterion (e), Dr. John R. Swanton, a member of the staff of the Bureau of American Ethnology, a Federal Government agency, and one of the Nation's foremost anthropologists and experts on American Indian tribes, particularly in the southeast, concluded in the early 1930's that the Lumbees are descended predominantly from Cheraw Indians. The Department of the Interior adopted this position in its 1934 statement to Congress on one of the proposed recognition bills, relying

on Dr. Swanton's report. This has also been confirmed and supported by scholars such as Dr. William C. Sturtevant, Chief Ethnologist of the Smithsonian Institution and general editor of the Handbook of American Indians and Dr. James Merrell, Professor of History, Vassar College, and a leading authority on the colonial Carolinas. Both of their statements are attached.

Criterion (f) Petitioner's members are not members of any federally recognized tribe

The members of the Lumbee Tribe of North Carolina are not members of any federally recognized tribe. This can be demonstrated by a review of the tribe's genealogical data.

Criterion (g) The petitioner has not been the subject of a Federal termination act

The Solicitor for the Department of the Interior has determined that the 1956 Lumbee Act is an act forbidding the Federal relationship.

Summary

Typically, Indian tribes petitioning for acknowledgment under the administrative process have most difficulty with criteria (b) and (c), community and political authority respectively. Every tribe that has been denied acknowledgment through the process to date has failed because of the inability to prove these criteria, and perhaps others. As demonstrated above, the Lumbee Tribe's case on these criteria is so strong as to be conclusive. In light of the heavily documented history of the tribe since 1900, neither can there be any doubt about the Tribe's ability to demonstrate the other criteria.

In the past few years, the BIA has opposed bills to recognize the Lumbee. The Bureau has complained that there is too little data, specifically that a genealogical link between the Cheraw Tribe on Drowning Creek and the present-day Lumbee Tribe on the renamed Lumber River cannot be made, despite the occurrence of shared and uncommon surnames. Of course, the failure of the dominant society to record the births and deaths of Lumbees before 1790 is no fault of the tribe; nor does this absence suggest that the Lumbee Tribe is not descended from the Cheraw Tribe. In fact, the Department testified in 1934 that the tribe was descended from the Cheraw Tribe, based upon the work of the eminent Dr. Swanton. The Department's earlier opinion is also corroborated by the professional opinions of Drs. Sturtevant and Merrill. Thus, the Department's more recent view should be taken as more intellectual curiosity than serious doubt about the origins of the tribe. And this new found curiosity should be judged in the context of the Department's longstanding determination to oppose recognition of the tribe, even in the face of its past judgment that the Lumbees truly are an Indian tribe.

The extensive record of the tribe's history in the 18th, 19th, and 20th centuries establish that the Lumbee Indians constitute an Indian tribe as that term is defined in the Department of the Interior's acknowledgment regulations. The tribe fails only on the last criterion, that is, Congress has prohibited the Department from acting on the Tribe's petition in the 1956 Lumbee Act. Thus, the Congress can act on S. 660 with full confidence that the Lumbees are, in fact, an Indian tribe.

PREPARED STATEMENT OF R. LEE FLEMING, DIRECTOR, OFFICE OF FEDERAL ACKNOWLEDGMENT, DEPARTMENT OF THE INTERIOR

Good morning, Mr. Chairman and members of the committee. My name is Lee Fleming and I am the director of the Office of Federal Acknowledgment at the Department of the Interior [Department]. I am here today to provide the Administration's testimony on S. 660, the Lumbee Recognition Act. The recognition of the continued existence of another sovereign is one of the most solemn and important responsibilities delegated to the Secretary of the Interior, which the Department administers through its acknowledgment regulations at 25 C.F.R. Part 83. Federal acknowledgment, or recognition, of tribal status enables Indian tribes to participate in Federal programs and establishes a government-to-government relationship between the United States and the Indian tribe. Acknowledgment carries with it certain immunities and privileges, which may include exemptions from State and local jurisdiction and the ability of newly acknowledged Indian tribes to undertake unique economic opportunities.

Under the Department's acknowledgment regulations, petitioning groups must demonstrate that they meet each of the seven mandatory criteria. The petitioner must:

(1) demonstrate that it has been identified as an American Indian entity on a substantially continuous basis since 1900;

(2) show that a predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present;

(3) demonstrate that it has maintained political influence or authority over its members as an autonomous entity from historical times until the present;

(4) provide a copy of the group's present governing document including its membership criteria;

(5) demonstrate that its membership consists of individuals who descend from an historical Indian tribe or from historical Indian tribes that combined and functioned as a single autonomous political entity and provide a current membership list;

(6) show that the membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe; and

(7) demonstrate that neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

A criterion is considered met if the available evidence establishes a reasonable likelihood of the validity of the facts relating to that criterion.

The Department recognizes that under the U.S. Constitution Indian Commerce Clause, Congress has the authority to recognize a "distinctly Indian community" as an Indian tribe. But along with that authority, it is important that all parties have the opportunity to review all the information available before recognition is granted. That is why the Department of the Interior supports a recognition process that requires groups go through the Federal acknowledgment process because it provides a deliberative uniform mechanism to review and consider groups seeking Indian tribal status. Notwithstanding that preference, the Department recognizes that some legislation is needed given the unique status of certain Indians in North Carolina.

In 1956, Congress designated Indians then "residing in Robeson and adjoining counties of North Carolina" as the "Lumbee Indians of North Carolina" in the Act of June 7, 1956 (70 Stat. 254). Congress went on to note the following:

> Nothing in this act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

In 1989, the Department's Office of the Solicitor advised that the 1956 Act forbade the Federal relationship within the meaning of the acknowledgment regulations, and that the Lumbee Indians were therefore precluded from consideration for Federal acknowledgment under the administrative process. Because of the 1956 Act, legislation is necessary for the Lumbee Indians to be afforded the opportunity to petition for tribal status under the Department's regulations. The Department would welcome the opportunity to assist the Congress in drafting such legislation.

If Congress elects to bypass the regulatory process in favor of legislative recognition of the Lumbee in a manner granting full sovereign rights, then the Department makes the following comments on S. 660, as currently drafted.

S. 660 extends Federal recognition to the "Lumbee Tribe of North Carolina" and permits any other group of Indians in Robeson and adjoining counties whose members are not enrolled in the Lumbee Tribe to petition under the Department's acknowledgment regulations. The Office of Federal Acknowledgment has received letters of intent to petition from six groups that may overlap with each other. In addition, we have identified over 80 names of groups that derive from these counties and are affected by the 1956 Lumbee Act. Some of these groups claim to be the "Lumbee" Tribe. Therefore, we recommend Congress clarify the Lumbee group that would be granted recognition under this bill. Not doing so could potentially expose the Federal Government to unwarranted lawsuits and possibly delay the recognition process.

One of the benefits or privileges available to recognized Indian tribes is the ability to conduct gaming under the Indian Gaming Regulatory Act [IGRA]. Under S. 660, any fee land that the Lumbee seeks to convey to the United States to be held in trust shall be considered an "on-reservation" trust acquisition if the land is located within Robeson County, North Carolina, and gaming will be allowed on those lands under the provisions of IGRA. Prior to conducting class III gaming, the Lumbee Tribe of North Carolina would need to negotiate a gaming compact with the State of North Carolina. In addition, the Lumbee Tribe of North Carolina must have lands taken into trust. Generally, if a tribe wants to game on land taken into trust after the passage of IGRA, it must go through the two-part determination described in 25 U.S.C. §2719(b)(1)(A). This process requires the Secretary to determine, after consultation with the tribe and the local community, that gaming is in the best in-

terest of the tribe and its members and not detrimental to the local community. If the Secretary makes that determination in favor of allowing gaming, then the gaming still cannot occur without the Governor's concurrence.

Under S. 660, the State of North Carolina has jurisdiction over criminal and civil offenses and actions on lands within North Carolina owned by or held in trust for the Lumbee Tribe or "any dependent Indian community of the Lumbee Tribe." The legislation, however, does not address the State's civil regulatory jurisdiction, which includes jurisdiction over gaming, zoning, and environmental regulations.

We are concerned with the provision requiring the Secretary, within 1 year, to verify the tribal membership and then to develop a determination of needs and budget to provide Federal services to the Lumbee group's eligible members. Under the provisions of this bill, the "Lumbee Tribe", which the Department understands includes over 40,000 members, would be eligible for benefits, privileges and immunities that are similar to those possessed by other federally recognized Indian tribes. In our experience verifying a tribal roll is an extremely involved and complex undertaking that can take several years to resolve with much smaller tribes. While we believe there are approximately 40,000 members, we do not currently have access to the Lumbee's tribal roll and thus do not have the appropriate data to estimate the time to verify them nor do we know how many Lumbee members may be eligible to participate in Federal needs based programs. Moreover, S. 660 is silent as to the meaning of verification for inclusion on the Lumbee group's tribal roll.

In addition, section 3 may raise a constitutional problem by purporting to require the President to submit annually to the Congress as part of his annual budget submission a budget that is recommended by the head of an executive department for programs, services and benefits to the Lumbee. Under the Recommendations Clause of the United States Constitution, the President submits for the consideration of Congress such measures as the President judges necessary and expedient.

Should Congress choose not to enact S. 660, the Department feels that at a minimum, Congress should amend the 1956 Act to afford the Lumbee Indians the opportunity to petition for tribal status under the Department's acknowledgment regulations.

This concludes my prepared statement. I would be happy to answer any questions the committee may have.

PREPARED STATEMENT OF HON. ROBIN HAYES, U.S. REPRESENTATIVE FROM NORTH CAROLINA

Chairman McCain and Vice Chairman Dorgan, I appreciate you taking the time to hold this hearing on the Lumbee Recognition Act, S. 660. Since I have been in Congress, I have worked hard to see that the Lumbee Tribe receives full Federal recognition.

As you know, this past June marks the 50th anniversary of the 1956 Lumbee Act, which acknowledged the Lumbee Tribe as an Indian tribe; however, Congress withheld giving the tribe full Federal recognition. I know Senator Dole and Senator Burr are working hard to garner strong support the Lumbee Recognition Act, and I appreciate their leadership on this issue in the Senate.

I am a proud original cosponsor of the House companion bill, H.R. 21, which was sponsored by my friend and colleague Congressman Mike McIntyre. Mike has been a tireless advocator of the Lumbee Tribe and it has been a pleasure working with him on this issue as well.

The Lumbee Indian Tribe has an extensive history in North Carolina ranging back to 1724 on Drowning Creek, which is now referred to as the Lumbee River. The Lumbee Tribe has been recognized by the State of North Carolina since 1885. The Lumbee Tribe has over 40,000 members and is the largest tribe in the State of North Carolina.

The 8th District, which I serve, is home to many of the Lumbees that reside in North Carolina, primarily in Hoke, Scotland, and Cumberland counties. I strongly believe that these important members of my constituency deserve Federal recognition so they are able to receive various Bureau of Indian Affairs and other Federal Government services and programs they rightly deserve.

The heritage of the Lumbee Tribe is as strong today as when first recognized by North Carolina and the tribe should be proud of the rich and valued cultural contribution they have given to our communities. It is my hope that we as a Congress do what the Federal Government should have done decades ago and give the Lumbee Tribe the distinction of a federally recognized tribe.

Thank you all again for holding this hearing. I look forward to continuing to work with you all on this important issue.

Summary of Concerns of The Tuscarora Nation of Indians of the Carolinas re S. 660
Executive Summary

1. S. 660 inaccurately assumes and relies on prior recognition that was specifically never granted. There has been no prior "recognition" of the Lumbee as an American Indian Tribe.

2. S. 660 ignores repeated and consistent prior denial of general Indian benefits to the Lumbee and certain other tribes alleged to have been Lumbee under other names.

3. S. 660 ignores well-documented and consistently recurring concerns about Lumbee "tribal" history and Indian ancestry.

4. S. 660 would set dangerous precedent by extending federal tribal benefits to an alleged Indian "tribe" that has not met federal administrative criteria for recognition of Indian tribes.

5. S. 660 would be a disservice to Indian Country by compounding the confusion among Americans as to who is and is not an American Indian.

6. S. 660 would be a disservice to Indian Country by adding a large and diverse group of new beneficiaries of uncertain ancestry when tribal programs are already being cut for lack of funds.

7. The Tuscarora Nation of Indians of the Carolinas would be disenfranchised by S. 660.

Summary of Concerns of The Tuscarora Nation of Indians of the Carolinas re S. 660

Several aspects of the Lumbee recognition bill, S. 660, serve to inaccurately represent the Lumbee and the history of Indians in the Carolinas. The Tuscarora Nation of Indians of the Carolinas would like to provide clarification on those points.

First, the bill now under consideration, S. 660, states incorrectly that "in 1956 the Congress of the United States *acknowledged* the Lumbee Indians as an Indian tribe." *See* tab 5. Acknowledgment and recognition are terms of art indicating that federal benefits will be due a tribe. The Lumbee have used these terms so as to confuse their meaning in common usage with their legal connotations with respect to federal benefits for Indian tribes. **The 1956 Act specifically did not bestow federal recognition on the Lumbee.** Nor is the last sentence of Section 1 of the 1956 Act properly characterized as a "termination clause." There was never any recognition of the Lumbee to terminate.

We have attached for your reference part of the transcript of a July 22, 1955 hearing on the Lumbee bill H.R. 4656, which became the 1956 Lumbee Act, and an excerpt from the Congressional Record in which Congressman Ertel Carlyle, the sponsor of the 1956 Lumbee Act, assured legislators that **the Lumbee sought a name only and said they would not come back to Congress seeking benefits**. *See* tabs 9 and 10. When Congressman Ford asked if the Lumbee bill, "if enacted, would in any way whatsoever commit the Federal Government in the future to the furnishing of services or monetary sums" Mr. Carlyle assured him that "the bill does not provide for that nor is it expected that it will cost the Government one penny." Tab 10.

During the July 22, 1955 hearing on H.R. 4656, Congressman Aspinall from Colorado asked Reverend Lowery, testifying on behalf of the Lumbee "Brotherhood," whether any members of his organization "after you might receive this designation [name only] . . . would come to Congress and ask for any of the benefits that otherwise go to Indian Tribes." Rev. Lowery replied, "No Sir. **We would leave the county before we would come under a reservation or anything like wards of the Government**." Tab 9 at 17.

Those assurances appear to have been forgotten as the Lumbee now portray the 1956 Act as federal "recognition" of their "tribe." The record from that era clearly shows that legislators specifically intended that the 1956 Lumbee Act not constitute federal recognition, then or in the future. Senator Dole and others have said that S. 660 "is about fairness – about righting a wrong." The 1956 Lumbee Act was not unfair. Instead, it is exactly what a group of people in North Carolina, allegedly Indians, asked for–to be *called* Lumbee Indians.

There is no wrong to be righted. Instead, full federal recognition of the Lumbee Tribe directly by Congress, without the benefit of BIA's administrative recognition procedures, would be **unfair to Indian Country and to the American people while leaving The Tuscarora Nation of Indians of the Carolinas stranded and disenfranchised**. Many Americans who believe in fulfilling the United States' treaty and statutory obligations to Native Americans are nevertheless uncertain as to who is and is not a Native American and entitled to benefits. For

Congress to bypass the administrative procedures that were designed to answer that question would be a disservice to Indian Country and would merely serve to **compound uncertainty over tribal identity**.

The legislative history of earlier bills dealing with Indians and alleged Indians in North Carolina share a common theme, which is consistent with the intent of Congress in 1956 not to provide full recognition and benefits to the Lumbee. For example, the Senate Committee on Indian Affairs amended S. 1632 in 1934 to adopt the recommendation of the Secretary of Interior that "nothing contained herein shall be construed as conferring Federal wardship or any other governmental rights or benefits upon such Indians." Contrary to Lumbee attorney Arlinda Locklear's assertion that this language was added "because of the expense of providing federal Indian services to the Indians" [variously called Cherokee, Siouan, Cheraw, Croatan, etc.], the language was in fact added simply because

> **the United States has never entered into treaty relations with, or provided benefits for, the Croatans; . . .such assistance or lands as have been given them have been from the local or State government; . . . their status is similar to that of other citizens of like class in the State in which they reside, and . . .North Carolina maintains a system of schools for them. It is further shown that the Federal Government is in no way indebted to them; and that if by enrollment and recognition as provided in the bill mentioned they are seeking assistance of the Government, such claims for assistance have no merit other than that which would attach to other needy citizens in the various States.**

S. Rep. No. 73-204 at 2, January 23, 1934. Tab 6.

Again, the consistently recurring decisions not to fully recognize a "Lumbee Tribe" reflect the uncertain tribal identity and history of this large and diverse group. The Secretary, in a letter accompanying S. Rep. 73-204, quotes Bulletin No. 30, part I, of the Bureau of American Ethnology, which states

> **The theory of descent from Raleigh's lost colony of Croatan . . . may be regarded as baseless, but the name itself serves as a convenient label for a people who combine in themselves the blood of the wasted native tribes, the early colonists or forest rovers, the runaway slaves or other Negroes, and probably also of stray seamen of the Latin races from coasting vessels in the West Indian or Brazilian trade.**

The currently pending bill also asserts that the State of NC recognized the Lumbee Indians as an Indian tribe since1885. There was no "Lumbee" tribe in 1885. Nor have the tenuous links between today's "Lumbee Tribe" and tribes that did exist in 1885 been adequately established. Furthermore, state recognition does not mean that the federal criteria have been met. BIA's decisions on Eastern Pequot and Schaghticoke recognition rejected the general use of state recognition in the Final Determination as evidence for the criteria that tribes show historical

and continuous "community" and "political influence or authority"since colonial times. See Eastern Pequot 70 FR 60099, 60100 (October 14, 2005) and Schaghticoke 70 FR 60101, 60102 (October 14, 2005).

References by Chief Goins or Lumbee attorney Arlinda Locklear to actions by the "Lumbee tribe" or the "Lumbee leadership" at key historic junctures reflect a convenient and seductive tautology–classic circular reasoning, begging the question. For example, Arlinda Locklear asserts that "[Associate Solicitor Felix] Cohen concluded that the Lumbee could organize under the [Indian Reorganization] act." Testimony at 5 n. 2. Cohen, however, did not mention the Lumbee in the cited memo nor does he mention the Lumbee at all in his famous treatise on Indian Law. So smoothly is this deception foisted on the reader that one might easily expect to find the term "Lumbee tribe" in early House and Senate reports before the tribe existed. Instead, other groups were referred to in those reports and it remains unclear whether those groups are tied to today's "Lumbee Tribe" or not. It is also not clear whether those groups were Indians and, if so, by whose definition and for what purpose defined. For example, it would have been an **administrative convenience for North Carolina, which provided separate schools for blacks, whites, and Indians, to designate those who claimed to be neither black or white as Indians of Robeson and surrounding counties–hardly a basis for federal recognition of an Indian tribe.**

The Tuscarora find themselves in an unfortunate predicament not unlike Tibetans (characterized by the Chinese as "splittists" from the Motherland) or unrelated and culturally dissimilar tribes lumped together in the same arbitrarily defined "country" following world wars.

At best, it appears that **today's "Lumbee tribe" may trace its ancestry to an uncertain assortment of Indians and non-Indians**. Even if some amalgamation occurred, it is not clear when and this is exactly the sort of uncertainty that BIA's regulatory recognition process is meant to address. The Tuscarora Indians in Robeson County who had the misfortune of being lumped together with the "Lumbee tribe" are most emphatically not a part of that group and even went to court to say so in 1973. The court documents from that case are attached at tabs 12-15.

Efforts in North Carolina in 1937 to suppress the federal recognition of 22 Tuscarora Indians as having 1/2 or more Indian blood included warnings of the detrimental effect on others who could not meet the federal criteria. **We believe the Lumbee have come to Congress for special treatment because they don't qualify as an Indian tribe.** They have not sought the intervention of Congress because they have been barred from the administrative process or because the process is too slow, they are here because they don't meet the criteria.

The Lumbee have attempted to assimilate the Tuscarora and their 22 half-blood ancestors to bolster their own credibility. The Tuscarora have not consented to that exploitation, however, and find the assertion that Tuscarora are Lumbee to be not only untrue but infinitely distasteful.

The Tuscarora Nation of Indians of the Carolinas is attempting to comply with the prescribed procedures at the Office of Federal Acknowledgment (OFA) and are merely asking

that the Lumbee be required to do the same. The first hurdle the Tuscarora encountered at the OFA was being told that they may not proceed under the federal recognition regulations because they fall under the 1956 Lumbee Act. **The Tuscarora are not Lumbee, however, and should not be barred from the administrative process because they have been unfairly classified as Lumbee.**

If enacted in its present form, S. 660, would seriously compromise if not eliminate the prospects for federal recognition of the Tuscarora Nation of Indians of the Carolinas. If Congress gives any further consideration to the Lumbee bid for federal recognition, the Tuscarora respectfully suggest that fairness requires that they be recognized by the same legislation. If Congress is unwilling to provide the same relief to the Tuscarora, then at the very least separate legislation should provide that the Tuscarora Nation of Indians of the Carolinas is free to proceed under the federal administrative recognition regulations at 25 CFR Part 83 (proposed language follows). Even then, the Tuscarora would still be severely compromised by the tacit credence given by Congress to Lumbee claims that have encompassed the Tuscarora. The Tuscarora Nation of Indians of the Carolinas fear that recognition of the Lumbee by Congress would seal our fate, delegating us to obscurity within an alien and hostile group.

Lumbee witnesses have lead the Committee to believe that the only barrier to their recognition was the Department of Interior claiming it would cost too much. Not so. Tribal history and identity is the issue. **When it is not clear that the "Lumbee Tribe" meets the criteria for recognition, it would be a grievous affront to Indian Country for Congress to bypass those criteria for such a large group of new beneficiaries when Indian programs are already being cut for lack of adequate funding.**

Lumbee recognition will not be cheap. The CBO did a cost estimate for S. 420, an earlier and essentially identical version of the Lumbee recognition bill, on Nov. 21, 2003. The CBO cost estimate for 34,000 Lumbees at that time was $430 million over 5 years. Today there are over 50,000 Lumbees, which would raise that estimate to $632 million, plus there has been inflation. According to the Bureau of Labor Statistics, http://data.bls.gov/cgi-bin/cpicalc.pl, what cost $632 million in 2003 would cost $695 million today. This despite assurances from the Lumbee and Ertyl Carlyle, sponsor of the 1956 Lumbee bill, that the Lumbee would not come back to Congress seeking benefits and that the 1956 bill would not "cost the Government one penny." A copy of the CBO cost estimate from 2003 is attached.

Lastly, **everyone can't be an American Indian**. We understand that Lumbee membership criteria relies heavily on census data for which respondents were free to self-designate themselves as Indian. The Lumbee openly claim "joint descent from remnants of early American colonists and certain tribes of Indians." The same could be said of many Americans who could nevertheless not meet the federal recognition criteria applied by the OFA. Congress would set a dangerous precedent by bypassing those criteria.

Proposed legislative language:

No provision of the Act of June 7, 1956, Public Law 570, shall serve to bar the Tuscarora Nation of Indians of the Carolinas from engaging in the administrative acknowledgment procedures outlined in 25 CFR Part 83.

Tuscarora History

The Tuscarora Nation of Indians of the Carolinas ("Tuscarora" or "Tribe") has a long history reaching back to ancient times. The Tribe is now documenting its history in order to compile a formal petition for federal recognition that will meet the regulatory criteria of the Bureau of Indian Affairs ("BIA").

In pre-colonial times the Tuscarora Indians were a dominant presence in what later became the State of North Carolina. Indian Agent O.M. McPherson, in his September 19, 1914 report to the Department of Interior on North Carolina Indians, wrote that the "Tuscarora Indians was a powerful and warlike tribe, occupying the central eastern part of North Carolina. They had frequent encounters with the Cherokees and Catawbas on the west and southwest, and with the Cheraws in the south, but stood as an impassable barrier to encroachments on their territory until the destructive [Tuscarora] war of 1711-1713." McPherson report at 11. The Cheraw and other tribes allied with the North Carolina colonists against the Tuscarora. *See* McPherson at 20. When the Tuscarora were first visited by John Lawson, Surveyor General of North Carolina, "they possessed the country lying between the coast of North Carolina and the foothills, having 16 towns and about 1,200 warriors. *See* McPherson at 21 and Ex H, History of the Tuscaroras from the Handbook of American Indians. Following the Tuscarora Wars, the Tribe was placed on a reservation in Bertie County, North Carolina. From there most of the Tuscarora Indians relocated to New York, where they were adopted by the Oneida and became one of the Six Nations of the Iroquois Confederacy. Today's Tuscarora Nation of Indians of the Carolinas are the descendants of a small band that remained behind in their homeland. The Tribe has remained a tightly knit group and has kept its tribal bloodlines strong through intermarriage. The majority of its members are located in and around the town of Maxton in southern North Carolina (Robeson County), just off I-95.

In 1937 the Bureau of Indian Affairs sent Harvard Anthropologist Carl Seltzer to Robeson County, North Carolina to identify local Indians who met the "over 50% Indian blood" requirement of the 1934 Indian Reorganization Act. Dr. Seltzer identified 22 individuals who met the requirement and were therefore recognized as Indians by the United States and entitled to benefits under the Act. These 22 federally recognized individuals are among the ancestors of today's Tuscarora Nation of Indians of the Carolinas.

Much of the Tribe's history is preserved as oral tradition, including stories of tribal ceremonies conducted in a traditional log Long House with songs in the native tongue led by the tribal Chief, ceremonial drums, pipes, and headdresses, and a beaded medicine bag used in tribal ceremonies. Tribal members remember that the Mohawks came to North Carolina in the early 1900s to reignite the Tuscarora's ceremonial "sacred fire" in the Long House, which was like those still in use today among members of the Six Nations. Tribal members remember tribal pow-wows attended by delegates from other tribes from distant locations and to which uninvited outsiders were forbidden entry. The Tuscarora were known as the Turtle Clan and their elders tell of a large stuffed turtle in the Long House. The Tribe had a Chief until the 1970s. The last Chief, Lawson "Big Poppa" Brooks was the grandfather of the Tribe's current Chairwoman.

JAMES ERNEST GOINS
Chairman
Lumbee Tribe of North Carolina

My name is James Ernest Goins and I am Chairman of the Lumbee Tribe. I want to express the Tribe's appreciation to Chairman McCain and Vice-Chairman Dorgan for the Committee's hearing on S.660, a bill that would extend full federal recognition to the Tribe. I also want to express the Tribe's deep gratitude for the hard work and leadership on this issue of Senator Burr and Senator Dole. Lumbee history will record their faithfulness to the Lumbee cause.

As have generations of Lumbee leaders before me, I proudly appear today in support of federal recognition of the Lumbee Tribe that S.660 would provide. Congress has deliberated on this issue for more than one hundred years now and, on the Tribe's behalf, I urge the Committee to report S.660 favorably so that we can move one step closer to justice and fair treatment for the Tribe.

The Lumbee desire for federal recognition

I am a direct lineal descendant of tribal leaders who first petitioned the United States in 1888 for federal recognition. This petition to Congress was a request for federal recognition and financial support for the education of Lumbee children. At the time, the State had just established a separate school system for the education of Lumbee children; it had also established an Indian normal school to train Lumbee teachers, but only approved two years funding for the normal school and provided nothing for the construction of the normal school. The Tribe donated the land and built the normal school but had trouble keeping it open with so little support from the State. So, a full hundred years before the advent of Indian gaming, the Lumbee Tribe sought recognition from the Congress for the purpose of supporting the Tribe's normal school. The Congress referred the request to the Department of the Interior and the Department gave what was to become its stock response to the Lumbee quest for recognition:

> While I regret exceedingly that the provisions made by the State of North Carolina seem to be entirely inadequate, I find it quite impractical to render any assistance at this time. The Government is responsible for the education of something like 36,000 Indian children and has provision for less than half this number. So long as the immediate wards of the Government are so insufficiently provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes.

This was a theme that we were to hear often from the federal government - we know you are Indian and you are in need but we have too little funding to assist you. In 1899, Congressman John Bellamy introduced a bill that would recognize the Croatan Indians and provide assistance to the Indian normal school. In 1905, our people made a third effort. A rally was held at the Indian normal school for the purpose of securing a federal census of Indians in the community and federal support for the Indian school. Both these efforts failed.

Between 1910 and 1924, no less than five separate bills were introduced to obtain federal recognition and assistance for the Indian normal school in Robeson County. Congress asked the Department of the Interior to investigate the history and needs of our people three times during this period. Each time, the Department acknowledged that we were Indian, but each time the Department recommended against the bill, mostly for fiscal reasons.

During the 1930s when my people were attempting to re-organize under the Howard Wheeler Act, my wife's grandfather helped raised money to send our people to Washington. Their pleas met with some results. Dr. Swanton from the Bureau of Ethnology was sent to investigate our origins and history. He concluded that the Lumbee people are descendants of the Cheraw Indians. Nevertheless, that effort failed as well.

Then, in 1935, Assistant Solicitor Felix Cohen put in writing a plan that would allow the Indians of Robeson County to organize under a constitution. Tribal leaders immediately submitted a request to organize to the Department of the Interior. Commissioner Collier sent an Indian agent, Fred Baker, to Robeson County to work out a plan for land resettlement so that a reservation might be created for qualified half-bloods. The Indian agent reported in 1935 that he had met with approximately 4,000 members of the Indian community and found strong support for the idea. That meeting was held at a small Lumbee church between Prospect and an adjoining Lumbee community, known as Pembroke. In his report to Washington, he described this meeting:

> It may be said without exaggeration that the plan of the government meets with practically the unanimous support of all the Indians. I do not recall having heard a dissenting voice. They seemed to regard the advent of the United States government into their affairs as the dawn of a new day; a new hope and a new vision. They hailed with joy the offer of the government; many of the old people could not restrain their feelings, -- tears filled many eyes and flowed down furrowed cheeks. We must confess to the fact that our own feelings were deeply touched as the old people expressed so deep a longing to have a piece of land on which they could live in peace.....

The agent concluded, "It is clear to my mind that sooner or later government action will have to be taken in the name of justice and humanity to aid them."

Justice did not come that time either. The plan was contingent upon certification of Indians in the county as half or more Indian blood. Initially, Assistant Commissioner Zimmerman and Assistant Solicitor Cohen had thought that Indian school enrollment records, other state records and oral tradition would all be used in this process. But in the end, the determinations were made based solely on physical measurements and features, e.g., body measurements, skin pigmentation, and facial features, which have since been discredited as having no scientific basis. Most tribal members refused to submit to these tests. Only 209

agreed to do so, out of which 22 were eventually certified as half bloods. Thus, this effort failed.

In the early 1950's, the Tribe once again looked to legislation as the answer. After obtaining state legislation in 1953 recognizing the Tribe under the name Lumbee, the Tribe sought federal recognition legislation on the same terms. In 1956, Congress did pass the Lumbee Act, designating the Indians in Robeson and adjoining counties as Lumbees. But at the request of the Department of the Interior, the bill was amended before enactment to provide that Lumbees could not receive services as Indians. Thus, we failed once again because of the intervention of the Department of the Interior.

Our latest effort for special legislation began about twenty years ago, after the Department of the Interior had promulgated regulations on recognition. In December 1987, the Tribe filed a fully documented petition for federal acknowledgment. Two years later the Solicitor's Office decided that the Lumbee Tribe is not eligible for the administrative process because of the termination language added to the 1956 Lumbee Act at the request of the Department.

Even so, some say repeal the 1956 Lumbee Act and force the Tribe to go through the administrative process. My answer to this is to pose this question: What will the Department of Interior learn that its experts haven't already told them? Every time a bill was introduced to recognize us, the Department was asked to investigate our history and community. Each time the Department acknowledged the existence of an Indian community, but opposed the bill because money was too short. How much do our people have to take? How many times does the Department of the Interior have to investigate our history? We believe enough is enough and the time has come for Congress to finish what it started in 1956.

Our people lost control over our Lumbee schools because we are not federally recognized. When a federal judge ordered North Carolina to disband its segregated schools, the Tribe lost its separate schools. This was a serious blow to our people's independence. Without federal recognition, we cannot have full charge of our communities. Without federal recognition, we will continue to be treated as second-class Indians.

The Lumbee community and governance

My family and I are typical of Lumbee families. Let me share a little about myself and my family to illustrate the strength and ties that bind our people.

I am the son of Ernest and Ola Jacobs Goins and a son of the Prospect Community, the oldest documented Lumbee Community located in the historic Cheraw Settlement. My wife is Diane Locklear Goins, Lumbee, and a retired schoolteacher, who taught at Pembroke Elementary School, a Lumbee school, for 31 years. Diane grew up in the Union Chapel Lumbee community, the home community of my mother. My oldest daughter, Rhonda, is a Rehabilitation Coordinator with the Robeson County Mental Health Department where she works with children from birth to three years of age. My daughter, Jacqueline, is also a Lumbee educator at a predominantly Lumbee school. My youngest daughter, Jamie, recently served as an Ambassador

with the Americans for Indian Opportunity's American Indian Ambassador Program. All my sons-in-law are Lumbee Indians and grew up in Lumbee communities here in Robeson County.

I am the great, great, great grandson of Clarissa Sweat/Lowry Chavis. The Department of Interior's investigations in the 1930's show that Clarissa was one of the last speakers of our language. She often served as an interpreter between the white traders and her father. She died in 1897 and is buried along the banks of Drowning Creek, in the Harper Ferry's Lumbee community – located about five miles from where I grew up and presently live. This is the same river that is known as the Lumbee River to our People, and the Lumber River to others.

My family, like other Lumbee families, takes pride in our community and maintains a strong sense of tribalism. Because our communities are composed of large extended families, our children continue to be not only our children but also the sons and daughters of our Lumbee communities. Children are raised by the whole family, not just mothers and fathers. Our people live in parallel worlds. We know what it is to be Lumbee and we know about the world outside the Lumbee world.

Throughout my life, I have attended all Indian churches. Growing up in the Prospect community, I attended Prospect United Methodist Church, located immediately across from Prospect School. The Prospect United Methodist Church is the largest American Indian church in the United Methodist Church. I now attend Union Chapel Holiness Methodist Church, my wife's home church. This church is part of the Lumbee River Holiness Methodist Conference (LRHMC), founded by Lumbee people in 1900. This religious conference is solely composed of Lumbee churches.

I attended Prospect School, an all-Indian school. Its teachers and principals were all Indian. This school was part of the separate school system established for the Lumbee Tribe by the State of North Carolina in 1885. Only a rural country road separated the school from my church. During the school year, I – along with all other students - marched across that road for "religious emphasis week". I have grandchildren who attend Prospect School today. And they continue to cross the road one week during the school year where they receive one hour of religious training. Today, however, students are required to obtain parental consent.

My schoolteachers were also my Sunday school teachers. The headmen of the community, being also the heads of our large extended families, selected the teachers for our schools. They also decided who could attend our schools. Both my paternal and maternal grandfathers, Willie Goins (Prospect community/school) and Anderson Jacobs (Union Chapel community/school) were among these headmen. They, along with the headmen from other Lumbee communities, had sole authority for purpose of deciding who attended Indian schools, and who would be allowed to teach in these schools. Teachers were selected based not only qualification, but also their moral character. As religious and school leaders, these tribal leaders not only shaped our schools, our churches, and our communities, they ultimately governed the Tribe.

After graduating from Prospect School in 1966, I enlisted in the United States Army and was severely wounded in the rice paddies of Vietnam on December 31, 1969. The men in my squad called me "Chief", and awarded me the job of walking point through the jungles and rice paddies of Vietnam. Like all Lumbee veterans, I am proud of my service to this country and I wear its medals with pride: the Purple Heart, the Bronze Star, and the Air Medal. My father, too, served this country in World War II. Indeed, Lumbee people have served this country as far back as 1775 when we fought side by side with the colonists. The only war the Lumbees did not serve in was the Civil War. During that period of time, we engaged in our own war against the Confederacy.

When we gather at the Pembroke VFW (all Lumbee, with exception of one member), where I am a lifetime member, I look at my friends and I am grateful that we, who have every reason not to bear arms for this country, have fought along with the sons and daughters of this great country when called to do so. No greater honor could be conferred upon those Lumbee men who gave their lives for this country and those who returned from its wars than passage of S.660.

Our connections to the land we call home and to each other are typical of Indian peoples. We draw our strength from home, known to others as Robeson County. Regardless of where a Lumbee may reside, home is always Robeson County. And when two Lumbees meet for the first time, the first question asked is who are your people, i.e. your family lines. All Lumbees know their family history three generations back and with a little discussion any two Lumbees can connect themselves either by direct kinship or marriage. These bonds - the ties to our land and each other - are the ties that have enabled us to survive as a tribe even without federal recognition.

For most of our history, the Lumbee Tribe has functioned with informal leaders, people typically drawn from the leading families within our communities. These leaders took whatever steps were required to protect our people, including self-defense such as during the Civil War, and handled all our government-to-government relations with the State of North Carolina. Recently, our people decided to establish a formal tribal government. In November 2001, by special referendum conducted among enrolled Lumbees, a tribal constitution was adopted by the Lumbee people. It creates three branches of tribal government: a tribal chairman with executive powers, a tribal council with 21 members representing districts within the Lumbee territory, and a tribal court to hear disputes arising under tribal law among members. This tribal government has been recognized by the State of North Carolina as the governing body of the Lumbee Tribe and I am the Tribal Chairman elected in accordance with its terms. A copy of the Tribe's constitution is attached to my statement.

Lumbee membership

Because the Tribe has not historically received services or other benefits for its members, the Tribe did not historically maintain a formal membership list. Informal and partial lists of

tribal members have been prepared for various purposes, though. For example, attendance at the Lumbee schools was limited to Lumbee children and committees of Lumbee leaders (sometimes called blood committees) had authority to determine a child's eligibility to enroll. These committees produced partial membership lists.

A few lists of tribal members also can be found in our churches' records. Since Lumbee people have historically attended all Indian churches, these lists are among the Tribe's base rolls. Finally, the United States Census has occasionally prepared special Indian censuses to count Indians. This collection of documents was used to compile a base roll for the Lumbee Tribe for 1900 and 1910. They are excellent records and, because Indian households are listed by order of visitation, you have a record of the families comprising our communities, e.g. Prospect, Pembroke, Union Chapel, Saddletree, and Fairgrove. The same families are there today.

The Tribe has since the early 1980's (when work on the acknowledgment petition began) used a formal enrollment process. As part of the preparation of the acknowledgment petition done in 1987, the Tribe for the first time reduced its membership criteria to writing and prepared a complete list of its members. The written membership criteria are essentially the same used by the Lumbee people informally for generations for things such as school attendance. There are two criteria: first, the person must prove descent from an ancestor on the base roll, which consists of partial lists of tribal members found in school and church records; second, the person must maintain contact with the Lumbee community. To us, maintaining contact means that you must be known to us, that is, known to be related to one of the families at home. Unless the Tribe knows you, then you are not allowed to enroll even if you can prove descent from a Lumbee ancestor. And the data in every application for enrollment is confirmed before an individual is enrolled. Using this process, we have enrolled to date nearly 53,000 members.

S.660

The bill before the committee would give the Lumbee people what we have long sought - treatment equal to other Indian tribes in the United States. It is respectful of the Lumbee Tribe's historical independence - it does not create an Indian reservation and yet would provide the same protections of federal law enjoyed by other Indian tribes. It is also respectful of the Tribe's long-standing relationship with the State of North Carolina - it authorizes the continuation of the State's present jurisdiction over the Tribe and its members.

As for the same treatment as that given other tribes, let me say that, even though Indian tribes can conduct high stakes gaming under certain circumstances under federal law, gaming has nothing to do with the Lumbee Tribe's desire for federal recognition. History shows that the Lumbee Tribe first sought federal recognition in 1888 - a full one hundred years before the passage of the Indian Gaming Regulatory Act. The Tribe has no plans to set up a casino and has no economic development backer for that purpose. And there are several barriers to doing so in the future, even if the Tribe wanted to - first, our constitution requires that a chairman conduct a special referendum among our people to authorize him/her to negotiate for a casino; second, S.660 insures that any acquisition of land for gaming purposes would require the Governor's

concurrence. In other words, the Governor of North Carolina could veto any gaming by the Lumbee Tribe, even if the Tribe decided in the future that it wanted to do such an enterprise. But the important point for our people is that, finally and once and for all, the Lumbee Tribe is treated just like every other federally recognized tribe in the country. Congress should not pick an choose among federal Indian statutes for the Lumbee - after all we've endured we are entitled to the same privileges as all other federally recognized tribes, whether or not we exercise those privileges.

As for State jurisdiction, we always remind our Indian friends outside Lumbee territory that our situation is unique. Because of the size of the Tribe and the Tribe's political engagement, the Lumbee Tribe controls or influences many of the reins of local authority. Three out of eight Robeson County Commissioners are Lumbee, the Clerk of Court is Lumbee, several elected judges in the County are Lumbee, four out of eleven members of the County School Board are Lumbee, and the Mayor and Town Council of Pembroke are all Lumbee. We also have a Lumbee in the North Carolina General Assembly. So leaving jurisdiction in the hands of local organs of government means leaving jurisdiction largely in the hands of Lumbees. Probably because of the Tribe's long commitment to and involvement in the welfare of our communities, the Tribe enjoys a good working relationship with all neighboring non-Indian governments. As a result, the State of North Carolina supports the Tribe's question for recognition, as does Robeson County.

Senator Burr's and Senator Dole's bill would finish what Congress began in 1956 and is the right thing to do. The Lumbee people have been patient and persistent in their quest for federal recognition, but I can tell you our people yearn for federal recognition. It is important to us that the federal government formally acknowledge what we have paid such a high price to maintain -- tribal existence. The time has come for the United States to acknowledge the fact that the Lumbee people are and have always been an Indian tribe. This is the truth of the Lumbee people. It is a truth that North Carolina has long acknowledged. It is truth that other Indian people and experts on Indian history accept. And it is a truth that the Department of the Interior has known for one hundred years.

On behalf of the Lumbee people, I thank the committee for the opportunity to share our story with you and urge the Committee to act favorably on S.660.

LUMBEE TRIBE OF NORTH CAROLINA
CONSTITUTION

PREAMBLE. In accordance with the inherent power of self-governance of the Lumbee Tribe of North Carolina ("Tribe"), the Tribe adopts this Constitution for the purposes of establishing a tribal government structure, preserving for all time the Lumbee way of life and community, promoting the educational, cultural, social and economic well-being of Lumbee people, and securing justice and freedom for the Lumbee people.

Article I. Territory and Jurisdiction.

1. The territory of the Lumbee Tribe of North Carolina shall include the State of North Carolina;

2. The Tribe's jurisdiction shall extend to the fullest extent possible under Federal law to:
   a). all enrolled members of the Tribe, without regard to location or residence; and
   b). all persons, property, and activities located or taking place upon the Tribe's territory.

Article II. Membership

1. The general membership of the Tribe shall consist of those persons who apply for enrollment and demonstrate direct descent from a person listed on Source Documents, which are listed on Exhibit A to this Constitution and incorporated herein by reference, and who maintain contact with the Tribe.

2. Notwithstanding eligibility otherwise, no person's application for enrollment shall be accepted if the applicant has not historically or does not presently maintain contact with the Tribe. Enrolled members may be disenrolled for failure to maintain contact with the Tribe, in accordance with a tribal ordinance adopted under this Constitution.

3. Notwithstanding eligibility otherwise, no person's application for enrollment shall be accepted if the applicant is an enrolled member of any other Indian tribe, unless the applicant has relinquished in writing his or her membership in such tribe.

4. The voting general membership shall consist of those members of the Tribe who are eighteen (18) and older and who are registered voters in accordance with duly adopted tribal ordinance(s).

5. The Tribal Council shall have authority to enact such tribal ordinances governing tribal membership as are consistent with this and other articles of this Constitution, provided that no individual shall be eligible for adoption into the Tribe unless such individual can demonstrate Lumbee or other Indian ancestry.

Article III. Distribution of powers.

1. The powers expressed herein and those powers necessary and proper to the exercise of those powers expressed herein are delegated to the specified branch of government by the general membership of the Lumbee Tribe of North Carolina. Those powers not delegated herein are reserved by the general membership of the Tribe.

2. The members of the Tribe shall be secure in their persons and property and such security shall be preserved by the government created by this Constitution.

3. The powers delegated to the legislative, executive, and judicial branches, except as expressly provided in this Constitution, shall be separate and distinct and no branch shall exercise the powers delegated herein to another branch, except for the office of vice-chairman.

Article IV. Recall.

1. The power to recall any elected official of the Lumbee Tribe of North Carolina who is in the second calendar year or later in his or her term is specifically reserved for the general membership of the Tribe.

2. A recall election shall be held when a petition bearing the signatures, names, addresses, and enrollment numbers of at least ten (10) percent of eligible voters who voted in the election from the district electing a tribal official or ten (10) percent of eligible voters who voted in the election for the tribal chairperson, alleging in one hundred (100) words or less that the tribal official is guilty of malfeasance in office, gross disregard for tribal law or custom, or open abuse of authority, and designating three signatories as a Petitioner's Committee, is filed with

the Tribal Elections Board.

3. Upon certification of the signatures on and grounds stated in the petition and within no more than five (5) days of its receipt, the Election Board shall:

    i). serve a copy of the petition upon the named tribal official, who shall have fifteen (15) days from the date of said notice to respond to the reasons stated in the petition in one hundred (100) words or less;

    ii). immediately upon receipt of any response, serve all members of the Petitioner's Committee with a copy of the same;

    iii). allow the Petitioner's Committee forty-five (45) days from the date of receipt of the response to collect additional signatures upon their petition;

    iv). conduct a recall election within ten (10) days of the resubmission of the petition, provided that the petition is signed by twenty (20) percent of the voters who voted in the election for the recalled tribal official;

4. If at least thirty (30) percent of the voters who voted in the election for the recalled official vote and a majority of those voting vote in favor of recall, the Election Board shall declare the office vacant and the vacancy shall be filled in accordance with the appropriate provisions of this Constitution, except that the recalled tribal official shall not be qualified to run for office in that special election.

5. If a recall election on a tribal official fails to obtain a majority of those voting, the Election Board shall not certify any recall petition against that tribal official for a minimum of one year thereafter.

Article V. Initiative.

1. The power to initiate a vote on a tribal ordinance is specifically reserved for the general membership of the Lumbee Tribe of North Carolina.

2. A minimum of ten (10) percent of the eligible voters may initiate consideration of a proposed tribal ordinance by submitting to the Tribal Elections Board a petition bearing the following:

i). their signatures, names, addresses, and enrollment numbers;

ii). the terms of the proposed tribal ordinance; and

iii). the designation of three signatories as a Petitioner's Committee.

3. Upon certification of the signatures on the petition and within no more than five (5) days of its receipt, the Tribal Elections Board shall serve a copy of the petition bearing the proposed tribal ordinance upon the Tribal Council, which shall take the proposed tribal ordinance under consideration and take a vote thereon at its next regularly scheduled meeting, but no more than thirty (30) days after its receipt from the Tribal Election Board.

4. The Tribal Elections Board shall notify all members of the Petitioner's Committee of the Tribal Council's action on the proposed tribal ordinance within five (5) days of such action.

5. If the proposed ordinance is not enacted or is enacted with substantive changes, the Petitioner's Committee shall have thirty (30) days from their receipt of notice of Tribal Council action to collect additional signatures upon their petition proposing a tribal ordinance.

6. The Tribal Elections Board shall conduct an election upon the proposed tribal ordinance within ten (10) days of the resubmission of the petition proposing the tribal ordinance, provided that the petition is signed by twenty (20) percent of eligible voters.

7. If at least thirty (30) percent of the eligible voters participate in the initiative election and a majority of those voting vote in favor of the proposed ordinance, the Tribal Election Board shall declare the ordinance duly enacted law of the Lumbee Tribe of North Carolina.

Article VI. Referendum.

1. The power to conduct a referendum on any tribal ordinance adopted by the Tribal Council is specifically reserved for the general membership of the Lumbee Tribe of North Carolina.

2. A minimum of ten (10) percent of the eligible voters may initiate a referendum by submitting to the Tribal Elections Board a petition bearing the following:

   i). their signatures, names, addresses, and enrollment numbers;

   ii). the terms of the challenged tribal ordinance adopted by the Tribal Council; and

   iii). the designation of three signatories as a Petitioner's Committee.

3. Upon certification of the signatures of the petition and within no more than five (5) days of its receipt, the Tribal Elections Board shall serve a copy of the petition bearing the challenged tribal ordinance upon the Tribal Council, which shall reconsider its adoption of the challenged ordinance and take a vote thereon at its next regularly scheduled meeting, but no more than thirty (30) days after its receipt from the Tribal Elections Board.

4. The Tribal Elections Board shall notify all members of the Petitioner's Committee of the Tribal Council's action on the challenged tribal ordinance within five (5) days of such action.

5. If the challenged tribal ordinance is not rescinded or substantively altered by the Tribal Council, the Petitioner's Committee shall have thirty (30) days from their receipt of notice of Tribal Council action to collect additional signatures upon their petition for a referendum on the challenged tribal ordinance.

6. The Tribal Elections Board shall conduct a referendum upon the challenged tribal ordinance within ten (10) days of the resubmission of the petition seeking a referendum on the challenged ordinance, provided that the petition is signed by twenty (20) percent of eligible voters.

7. If at least thirty (30) percent of the eligible voters participate in the referendum election and a majority of those voting vote in favor of rescinding the challenged ordinance, the Tribal Elections Board shall declare the ordinance rescinded.

Article VII. Tribal Council.

1. The legislative power to enact ordinances of the Lumbee Tribe of North

Carolina shall reside in the Tribal Council. Such legislative power shall include:

a). the enactment of annual tribal budgets, provided that budgets shall be enacted into tribal law following the conduct of tribal hearing(s) on budgets proposed by the Tribal Chairperson;

b). the adoption of rules and regulations governing the Tribal Council's procedure and decorum, consistent with the provisions of this Constitution; and

c). the confirmation of either employment or dismissal of a Tribal Administrator.

2. Except as otherwise provided, members of the Tribal Council shall serve three (3) year terms and no council member can serve more than two (2) consecutive terms. The privilege to run for election to the Tribal Council shall be limited to those members of the Lumbee Tribe of North Carolina who at the commencement of the term of office for which the member stands for election:

   a). are over the age of twenty-one (21);

   b). have maintained their principal place of residence in the particular council district for which the member stands for election no less than the preceding one (1) year;

   c). the Tribal Council shall have authority to enact an ordinance governing disqualification from Tribal Council office due to felony conviction.

3. The Tribal Council shall consist of twenty-one (21) members who shall be elected from districts within Lumbee territory. These districts shall have boundaries as drawn in accordance with the provisions of Article XII, section 3, below, which boundaries shall be redrawn within one (1) year following the publication of each decennial federal census to maintain equal representation for each tribal member.

4. The council members shall elect from their members the following officers:

   a). a speaker, who shall preside over council meetings;

b). a vice-chairman, who shall preside over council meetings in the absence of the speaker and who is willing and qualified to serve as chairman in the event that becomes necessary;

c). a secretary, who shall oversee the maintenance of all records of proceedings of the council and tribal ordinances; and

d). a treasurer, who shall oversee council proceedings to prepare annual tribal budgets.

4. All proceedings of the Tribal Council shall be conducted in public session, except for proceedings certified in advance by the speaker as implicating privacy rights of a tribal employee or member. No proceedings of the Tribal Council shall take place in the absence of a quorum which shall constitute two-thirds (2/3) of the sitting council members and all decisions of the Tribal Council shall require an affirmative vote of the majority of present council members, except that a veto override shall require two-thirds (2/3) vote.

5. No ordinance enacted by the Tribal Council shall be binding and effective
until such ordinance has been posted in a place reserved for this purpose at the offices of the Tribal Council for a period of thirty (30) calendar days following its enactment, provided that such ordinance was not certified for referendum by the Tribal Chairperson in accordance with Article VIII, section 1 (b) within that period. The Tribal Council shall periodically publish in a newspaper of general distribution in Lumbee territory a calendar of proceedings showing all council actions taken and the address and phone number where copies of ordinances are available.

6. Any council member who is absent from three (3) consecutive regularly scheduled meetings of the council shall be removed from office, provided that such absences are unexcused in accordance with a governing tribal ordinance. A vacancy in a Tribal Council seat will also occur automatically upon the death of a Tribal Council member or the occurrence during that member's term of any circumstance listed above in section 2 that would have disqualified the member from serving upon the Tribal Council. Vacancies in Tribal Council seats shall be filled as follows:

a). If a Tribal Council seat becomes vacant for any reason and one calendar year or less remains in the term of the vacant seat, then

i). the Tribal Council shall schedule, advertise and conduct a public hearing in the district with the vacant seat for the purpose of receiving nominations from district residents to fill the vacancy, then elect as council member for the vacant seat from among those individuals nominated at the public hearing by a 2/3 vote of the Tribal Council;

ii). if no candidate described in (i) above is nominated or qualified to serve, the Tribal Council shall appoint a person who would be qualified to stand for election to that seat to serve the remainder of the term.

b). If a Tribal Council seat becomes vacant for any reason and more than one calendar year remains in the term of the vacant seat, then:

i). a special election shall be conducted to fill the vacancy, and

ii). the newly elected council member shall serve out the remainder of the vacated term.

Article VIII. Tribal Chairperson.

1. All executive powers, including implementation of and compliance with annual budgets, of the Lumbee Tribe of North Carolina shall reside in a Tribal Chairperson, who shall cause all laws of the Tribe to be faithfully executed. Specifically, the Tribal Chairperson shall:

a). deliver to the general membership an annual State of the Tribe Address during the first week of July, which Address shall include a proposed budget for the upcoming fiscal year;

b). within ten (10) days of its passage by the Tribal Council, certify for referendum by the general voting membership any tribal ordinance that affects fundamental rights or interests of the Lumbee Tribe of North Carolina. Any ordinance imposing a tax or authorizing gaming in Lumbee territory shall be deemed to affect fundamental rights or interests of the Tribe. No ordinance certified as requiring a referendum shall be effective unless and until such ordinance is approved by a majority of those voting in

the referendum, such referendum to be conducted in accordance with Article V of the Constitution;

c). have authority to veto any ordinance enacted by the Tribal Council;

d). shall nominate a Tribal Administrator, subject to confirmation by the Tribal Council or its designee(s), the Tribal Administrator can be removed by the same process;

e). represent the Lumbee Tribe of North Carolina before all other governments and tribunals, including the United States, the State of North Carolina, and all federal and state agencies.

2. The Tribal Chairperson shall be elected by the voting general membership for a term of three (3) years and shall not serve more than two consecutive terms. The privilege to run for the office of Tribal Chairperson shall be limited to those tribal members who at the commencement of the term:

   a). are thirty-five (35) years of age or more;

   b). have maintained his or her principal place of residence in the territory of the Tribe for the preceding one (1) year;

   c). the Tribal Council shall have authority to enact a tribal ordinance governing disqualification from office of Tribal Chairperson due to felony conviction.

3. A vacancy shall occur in the office of Tribal Chairperson upon the death of the chairperson or the occurrence during that chairperson's term of any circumstance listed above in section 2 that would have disqualified the chairperson from running for office. Vacancies in the office of Tribal Chairperson shall be filled as follows:

   a). If a vacancy occurs in the office of Tribal Chairperson with one calendar year or less remaining in the term of office, then the Tribal Vice-Chairperson shall serve out the term, provided that the Vice-Chairperson would be otherwise qualified to run for the office of Tribal Chairman.

   b). If the vacancy occurs in the office of Tribal Chairperson with more than one calendar year remaining the term of office, then a special

election shall be conducted and the newly elected Tribal Chairperson shall serve out the remainder of the vacated term.

Article IX. Judiciary.

1. The judicial power of the Lumbee Tribe of North Carolina shall reside in the Supreme Court of the Lumbee Constitution and such inferior courts as the Tribal Council may establish. The Supreme Court of the Lumbee Constitution shall have original jurisdiction over all cases and controversies arising under the Lumbee Constitution and all ordinances of the Lumbee Tribe of North Carolina. In the event the Tribal Council establishes inferior courts, the Supreme Court of the Lumbee Constitution shall have appellate jurisdiction only over those cases and controversies arising under tribal ordinances.

2. The rule of law to be applied in the Supreme Court of the Lumbee Constitution in all cases and controversies within its original jurisdiction shall be the will of the Lumbee people as expressed in the Lumbee Constitution, duly adopted tribal ordinances, and Lumbee custom. In the absence of a governing rule of law from these sources, the governing rule shall be federal common law.

3. The Supreme Court of the Lumbee Constitution shall consist of five sitting judges, who shall serve five-year terms; no judge may serve two consecutive terms. These judges shall have the qualifications and be selected as set out below:

   a). the qualifications for Tribal Chairperson specified in Article V, section 2, shall apply to judges of the Supreme Court of the Lumbee Constitution, except that the minimum age of judges shall be thirty-five (35);

   b). at all times, two of the sitting judges shall be graduates of accredited law schools and three shall be lay people;

   c). for the initial appointments to the Court, the Tribal Chairman shall nominate ten qualified candidates, from whom the Tribal Council shall appoint five. By some method of chance, one of the initial appointees shall serve a one-year term, one a two-year term, one a three-year term, one a four-year term, and one a five-year term. Thereafter, each appointed judge shall serve a five-year term. In making nominations and appointments, the Tribal Chairperson and Tribal Council shall to the greatest extent

possible select candidates who reside in different areas or communities of the Lumbee territory.

4. There shall be a Chief Judge of the Supreme Court of the Lumbee Constitution who shall bear administrative responsibilities for the conduct of the Court's business and who shall be elected on an annual basis by the sitting judges.

Article X. Elections Board.

1. There shall be an independent Tribal Elections Board of the Lumbee Tribe of North Carolina, which shall have the following authority:

   a). to promulgate necessary and appropriate regulations under authority of this Constitution and tribal ordinances governing voter registration and the conduct of all regular and special tribal elections;

   b). to conduct all recall, initiative, and referendum proceedings; and

   c). any other matters specified herein or authorized by tribal ordinance.

2. The Tribal Elections Board shall consist of five (5) enrolled members over the age of eighteen (18) appointed by the Tribal Council. For purposes of this appointment, the council members shall be divided as equally as possible into five (5) appointing committees by some method of chance. Each of the five appointing committees shall appoint one Elections Board member. The Board members shall serve six-year terms and may not serve consecutive terms.

3. Any matter decided or certified by the Tribal Elections Board shall be deemed final tribal action and shall be reviewable by the Supreme Court of the Lumbee Constitution.

Article XI. Duty of Loyalty.

1. Every elected and appointed tribal official empowered herein shall affirm upon taking office that he or she will abide by this Constitution and laws of the Lumbee Tribe of North Carolina and will, to the best of his or her ability, perform his or her duties with undivided loyalty to the Lumbee

Tribe of North Carolina.

2. The first Tribal Council elected under this Constitution shall adopt an ordinance proscribing conflicts of interests in the performance of duties by elected and appointed tribal officials, which ordinance shall require a tribal official to recuse him or herself from any decision or vote affecting his or her pecuniary interest or a family member.

Article XII. Adoption.

1. A referendum on the adoption of this Constitution shall be conducted among the enrolled members of the Lumbee Tribe of North Carolina aged eighteen (18) and above on November 6, 2001.

2. This Constitution shall be deemed adopted if, at the general referendum conducted therefore, a majority of those enrolled members voting vote in favor of adoption of the same. Specific provisions of the Constitution set out for special vote at the same referendum, if any, shall be deemed adopted upon favorable vote of a majority of those voting on each specific provision as if those provisions were set out in the document itself.

3. Upon adoption, this Constitution shall be considered immediately effective as the governing document for the Lumbee Tribe of North Carolina. The tribal chairperson and Tribal Council members elected on November 7, 2000, shall serve out their full terms, set to expire in November 2003, and shall in the meantime be bound by the terms of this Constitution, subject to the following exceptions and special responsibilities as the first tribal officials to serve under the Constitution:

    a). the present Tribal Council members shall be deemed council members-at-large in the interim between the adoption of this Constitution and the first set of elections held under the Constitution in November 2003, without regard to district boundaries from which they were elected;

    b). before the election in November 2003, the present tribal officials shall draw boundaries for the twenty-one (21) Tribal Council districts, provided that:

        i). each tribal member has equal representation on the Tribal Council; and

ii). the boundaries for Tribal Council districts shall be drawn and published throughout the tribal territory no less than sixty (60) days in advance of the election to be held in November 2003;

c). for purposes of the conduct of the election to be held in November 2003, the present tribal officials shall serve as election commissioners, authorized to promulgate regulations governing this election only;

d). for purposes of the conduct of the election to be held in November 2003, the present tribal officials shall be qualified to stand for office under this Constitution provided that they meet all qualifications therefore, their present term to be counted as their first under this Constitution;

e). upon election in November 2003, the twenty-one Tribal Council members shall be divided into three groups of seven by some means of chance, with the first group serving a one year initial term, the second group serving a two year initial term, and the third group serving a three year initial term, after which all Tribal Council members shall serve three year terms.

Article XIII. Amendment.

1. An amendment to the Constitution can be proposed by either two-thirds (2/3) vote of the Tribal Council or by a petition bearing the signatures of five (5) percent of tribal members eighteen years of age or older. Upon certification by the Tribal Elections Board of a proposed amendment to the Constitution, the Tribal Elections Board shall within ten (10) working days post the proposed amendment at appropriate public places and publish the proposed amendment in newspapers of general distribution.

2. Within sixty (60) days after the posting and publication of a proposed amendment, the Tribal Elections Board shall conduct a special election on the proposed amendment. The amendment shall be adopted upon the majority vote of qualified voters voting in the special election. If adopted, the Tribal Elections Board shall within five (5) days of the special election post the amendment at appropriate public places and publish the amendment in newspapers of general distribution with notice of its adoption by special election. The amendment shall become effective ten (10) working days after its posting and publication.

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Linda Hammonds, Chairperson
Constitution Committee

TESTIMONY OF
PRINCIPAL CHIEF MICHELL HICKS
OF THE EASTERN BAND OF CHEROKEE INDIANS

A HEARING ON S.660, THE LUMBEE RECOGNITION ACT
BEFORE THE SENATE INDIAN AFFAIRS COMMITTEE

July 12, 2006

Chairman McCain, Vice Chairman Dorgan, members of the Indian Affairs Committee, I am honored to be here to testify today to provide the views of the Eastern Band of Cherokee Indians on S. 660, the Lumbee Recognition Act.

There are three federally recognized Cherokee tribes: the Eastern Band of Cherokee Indians based in Cherokee, North Carolina; the Cherokee Nation based in Tahlequah, Oklahoma; and the United Keetowah Band of Cherokee Indians, also based in Tahlequah. All three Cherokee nations, the inter-tribal organization United South and Eastern Tribes (USET), as well as other tribes from across the United States strongly oppose this legislation. The Eastern Band opposes for has several specific reasons:

First, the integrity of the Eastern Band and other tribes with living tribal languages and long standing government-to-government relations with the United States is undermined where politics and emotion, rather than facts about tribal identity, dictate outcomes regarding federal recognition. Consistent with the views of Eastern Cherokee leaders since at least 1910, there are very serious questions about the tribal identity of the Lumbees.

Second, the Department of the Interior's Office of Federal Acknowledgement (OFA), while imperfect, is the only federal entity equipped to make an informed, merits-based determination of Lumbee tribal identity and recognition. Congress is not equipped to make these decisions.

Third, Congress should be absolutely certain that the Lumbee group meets the objective criteria at Interior before it enacts a bill that could cost more than $682 million of taxpayer dollars over four years and further decrease the funds existing tribes and Indians receive. Congress cannot be confident in the merits of this bill, however. In fact, the Lumbee group would have a difficult time meeting the criteria in a non-political setting.

Alternatively, the Eastern Band would support legislation that would clear the way for the Lumbee petition filed with the OFA to be considered. This is the only fair way to resolve this issue.

This Legislation Impacts the Integrity of Eastern Band and other Established Tribes

Since before the coming of Europeans to this continent, the Cherokee have lived in the southeastern part of what is now the United States, in the states of North Carolina, South Carolina, Alabama, Georgia, Kentucky, Tennessee, and Virginia. Through these years, the Cherokee have faced unending threats to our very existence – including the tragic Trail of Tears where more than 15,000 Cherokee Indians were forcibly removed by the U.S. Army from their ancestral homelands to the Indian Territory as part of the federal government's American Indian Removal Policy. Thousands died. The Cherokee came to call the event Nunahi-Duna-Dlo-Hilu-I or Trail Where They Cried. The Eastern Band of Cherokee Indians are the descendants of those Cherokees that resisted removal in the Great Smoky Mountains and escaped the Trail of Tears or who were able to return to their homeland in the Smoky Mountains after the Trail of Tears.

Yet through all of this, the Cherokee people have fiercely protected our separate identity as Cherokees. Many of our tribal members are fluent in the Cherokee language. We have a separate culture that makes us different from any group of people in the world. The leadership of the Cherokee and the Cherokee people themselves have fought with tenacity and determination to ensure that our way of life, our beliefs, and our sovereignty will survive.

Like other tribes across the country, we hold in high regard the long-standing government-to-government relationship the Eastern Band of Cherokee Indians has with the United States. We are proud that the United States has entered into treaties with the Cherokee that helped shape the government-to-government relations with all tribes.

But today, like other tribes, we face a new threat to our separate identity: groups of people who claim, or who have claimed Cherokee, or other tribal affiliations whose legitimacy is doubtful at best. Unfortunately, we believe this to be the case with this bill.

Serious Problems with Claimed Lumbee Tribal Identity

If Congress recognizes groups whose tribal and individual identity as Indians is seriously in doubt, it will dilute the government-to-government relationships that existing federally recognized tribes have with the United States. We strongly believe that this bill would undermine the integrity of existing federally recognized Indian tribes due to the real problems that the Lumbee have in demonstrating that it is a tribe, including their inability to trace the genealogy of its 54,000 members to a historic tribe.

The Lumbee Have Self-Identified As Four Different Tribes

The Lumbee group seeking Congress's acknowledgment today has been before the Congress on numerous occasions in the past, including 1899, 1910, 1911, 1913, 1924, 1932, 1933, 1955, 1988, 1989, 1991, 1993, and now 2004. The tribal identity of

the Lumbee, who have over the course of history self-identified themselves as four different tribes before Congress –Croatan, Cherokee, Siouan, and now Cheraw – is highly in question. These appellations do not correlate with each other. Linguistically, the Croatan were Algonquian, the Cherokee Iroquoian, and the Cheraw were Siouan. Thus, these disparate references themselves implausibly covered three distinct and separate linguistic groups. Moreover, referring to themselves as the "Siouan Tribe" did not make sense because the term "Siouan" is simply a reference to a broad generic linguistic classification that encompassed many distinct tribal languages in North America, including Osage, Assiniboine, Dakota, Lakota, Catawba, Hidatsa, Crow, Mandan, Ponca, Biloxi, and Quapaw, to name a few.

The origin of the Lumbee name comes not from a historic tribe but from a geographic location in the State of North Carolina, a place along the Lumber River. The term "Lumbee" is a modern creation that the group selected as its name in 1952. Over the years, the Congress has heard from this same group many times seeking federal acknowledgement. The Lumbee have self-identified themselves as any number of vastly different linguistic groups in these efforts.

Lumbee Self-Identification as "Croatan" Indians

For example, as the Lumbee's own hired expert Dr. Jack Campisi stated in his testimony before the Senate Indian Affairs Committee on September 17, 2003, the Lumbee sought federal services from the Congress as Croatan Indians in the 1880's and early 1900's.[1]

In 1993, the House Resources Committee's Report contained the following relating to the history of the Lumbee, including its "Croatan" origins:

> The story of how the progenitors of the Lumbee came to live in this area of North Carolina is a multifarious one. In fact, there are almost as many theories as there are theorists. Up until the 1920's, the most persistent tradition among the Indians in Robeson County was that they were descended primarily from an Iroquoian group called the Croatans. This theory, though highly conjectural, is as follows. In 1585, Sir Walter Raleigh established an English colony under Gov. John White on Roanoke Island in what later became North Carolina. In August of that year, White departed for England for supplies, but was prevented from returning to Roanoke for 2 years by a variety of circumstances. When he finally arrived at the colony, however, he found the settlement deserted; no physical trace of the colonists was found.
>
> The only clue to their whereabouts were the letters "C.R.O." and the word "Croatoan" carved in a tree. From this it was surmised that the colonists

[1] "Testimony of Dr. Jack Campisi, in Support of S. 420, United States Senate Committee on Indian Affairs" (September 17, 2003) p. 6.

> fled Roanoke for some reason, and removed to the nearby island of Croatoan which was inhabited by a friendly Indian tribe. There, according to the theory, they intermarried with the Indians, and the tribe eventually migrated to the southwest to the area of present-day Robeson County. The theory is lent some credence by reports of early 18th century settlers in the area of the Lumber River who noted finding a large group of Indians – some with marked Caucasian features such as grey-blue eyes – speaking English, tilling the soil, "and practicing the arts of civilized life." In addition, many of the surnames of Indians resident in the county match those of Roanoke colonists.[2]

Lumbee's Self-Identification as "Cherokee" Indians

In the state of North Carolina, the Lumbee group sought recognition from the North Carolina legislature in 1913 as the "Cherokee Indians of Robeson County." This legislation was passed, despite the Eastern Band's opposition, and the group was recognized in North Carolina as "Cherokee" Indians. That continued for 40 years until 1953 when the North Carolina legislature, at the Lumbee group's request, passed legislation recognizing them as the "Lumbee" Indians instead of as the "Cherokee" Indians.

As the Lumbee's expert Dr. Campisi stated, after World War I, this Lumbee group sought legislation in Congress for recognition as "the Cherokee Indians of Robeson and adjoining counties." Specifically, in 1924, Dr. Campisi noted that the now-called Lumbee group had legislation introduced in the U.S. Senate that would have recognized them as "Cherokee" Indians. However, the Commissioner of Indian Affairs Charles H. Burke opposed the legislation and it failed to pass. Dr. Campisi went on to state that the Lumbee group renewed their efforts in 1932 and had a bill introduced in the Senate that would have recognized them as "the Cherokee Indians," but this effort failed also.[3] The Eastern Band has, since the early 1900's when the Lumbee group sought formal recognition as Cherokee, consistently and strongly opposed these efforts of the Lumbees to be recognized as a tribe.

Lumbee's Self-Identification as "Siouan" Indians

According to the Lumbee, they sought federal recognition as "Siouan" Indians in 1924. Further, in the 1930's, for purposes of the Indian Reorganization Act, the Lumbees self-designated themselves as the "Siouan Indian Community of Lumber

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[2] H.R. Rep. No. 103-290, 103rd Cong., 1st Sess. at 179 (1993).

[3] *Id.* Ms. Arlinda Locklear, in her testimony before the Senate Indian Affairs Committee in 2003, noted that the Lumbee group claimed that they were Cherokee and sought federal legislation to be recognized as Cherokees. "Testimony of Arlinda Locklear, Patton Boggs LLP, Of Counsel for the Lumbee Tribe of North Carolina in Support of S. 420 United States Senate Committee on Indian Affairs" (September 17, 2003) p. 4.

River."[4] As stated above, the term "Siouan" is a reference to a generic linguistic classification that is spoken by many tribes in North America and is not a term that describes a distinct historical tribe.

It was not until 1952 that the Lumbee decided to refer to themselves as "Lumbee" based upon their geographic location next to the Lumber River. In 1956, Congress, at the request of the Lumbee, passed legislation commemorating their name change.[5]

The Lumbees' Current Efforts to Link Themselves to the Cheraw Tribe Are Tenuous

The federal acknowledgment criteria require that the membership of a petitioning group consist of "individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity."[6] The regulations define "historical" in this context as "dating from first sustained contact with non-Indians."[7] The origin and ties of the Lumbee to an historical tribe has been the subject of uncertainty not only among experts in the area but also the Lumbee themselves.

Experts at the Bureau of Indian Affairs have testified that the Lumbee ties to the Cheraw Tribe are tenuous. On August 1, 1991, Director of the Office of Tribal Services Ronal Eden testified on behalf of the Administration regarding federal legislation that would Congressionally acknowledge the Lumbee. Regarding the Lumbee petition for federal recognition before the agency, the Director testified to a "major deficiency" that "the Lumbee have not documented their descent from a historic tribe."[8]

The testimony also stated that the 18th century documents used by Lumbee to support its claim that it is primarily descended from a community of Cheraws living on Drowning Creek in North Carolina in the 1730's needed extensive analysis corroborated by other documentation.[9]

In his September 17, 2003 testimony before the Senate Indian Affairs Committee, Lumbee expert Jack Campisi relies on a report of Dr. John R. Swanton of the Bureau of Ethnology for concluding "in the 1930s that the Lumbees are descended from predominantly Cheraw Indians."[10] The House Report specifically refutes this

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4 *Id.* at 9.
5 *Id.* at 9-10.
6 25 C.F.R. § 83.7(e).
7 *Id.* at 83.1.
8 Statement of Ronal Eden, Director, Office of Tribal Services, Bureau of Indian Affairs, Department of the Interior, Before the Joint Hearing of the Select Committee on Indian Affairs, United States Senate, and the Interior and Insular Affairs Committee, United States House of Representatives, On S. 1036 and H.R. 1426 (August 1, 1991) p. 3-5.
9 *Id.*
10 Campisi Testimony at 21.

claim, stating that Swanton chose "Cheraw" rather than another tribal name he identified – "Keyauwee" – because the Keyauwee name was not well known. "In other words, the choice of the Cheraw was apparently made for reasons of academic ease rather than historical reality."

Furthermore, the head of the BIA's acknowledgment process questioned the adequacy of the underlying proof of Cheraw descent. He testified in 1989 that:

> The Lumbee petition . . . claims to link the group to the Cheraw Indians. The documents presented in the petition do not support [this] theory . . . . These documents have been misinterpreted in the Lumbee petition. Their real meanings have more to do with the colonial history of North and South Carolina than with the existence of any specific tribal group in the area in which the modern Lumbee live.

Counsel to the Lumbee Arlinda Locklear in her 2003 testimony before the Senate Indian Affairs Committee admits that these concerns continue today. "Department staff that administers the administrative acknowledgment process have expressed some concern about the absence of a genealogical connection between the modern day Lumbee Tribe and the historic Cheraw Tribe."[11]

Claimed Lumbee Membership Not Tied to Cheraw Individuals

The various documents on which the Lumbee membership list is based similarly cast doubt as to the ability of the Lumbee to meet the acknowledgement criteria. The Lumbee claim 54,000 enrolled members who are descended from anyone identifying as "Indian" in five North Carolina counties and two South Carolina counties in either the 1900 or 1910 federal census. The Lumbee Constitution refers to these census lists as the "Source Documents." Yet the individuals on these lists cannot be specifically identified and verified as Cheraw Indians. In fact, these individuals cannot be identified as belonging to any tribe whatsoever. These are lists of people who self-identified or were identified by the census as "Indian".

House Resources Committee members have recognized the weaknesses and complexities in the Lumbee group's claim to tribal recognition in the past:

> The Lumbee . . . have never had treaty relations with the United States, a reservation, or a claim before the Indian Claims Commission; they do not speak an Indian language; they have had no formal political organization until recently; and they possess no "Indian" customs or cultural appurtenance such as dances, songs, or tribal religion. One of the groups consultant anthropologists, Dr. Jack Campisi, noted this lack of Indian

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[11] "Testimony of Arlinda Locklear, Patton Boggs LLP, Of Counsel for the Lumbee Tribe of North Carolina in Support of S. 420 United States Senate Committee on Indian Affairs" (September 17, 2003) p. 4 fn. 1.

cultural appurtenances in a hearing colloquy with then-Congressman Ben Nighthorse Campbell:

Mr. Campbell: Do [the Lumbee] have a spoken language . . .?
Dr. Campisi: No.
Mr. Campbell: Do they have distinct cultural characteristics such as songs, dances and religious beliefs and so on? . . . Do the Lumbees have that?

Dr. Campisi: No. Those things were gone before the end of the 18th Century.

This absence of cultural appurtenances in part identify the Lumbee as part of what sociologist Brewton Berry has termed the "marginal Indian groups." As Berry notes:

> These are communities that hold no reservation land, speak no Indian language, and observe no distinctive Indian customs. Although it is difficult to establish a firm historical Indian ancestry for them, their members often display physical features that are decidedly Indian. Because they bear no other historic tribal names, they often emphasize a *Cherokee* ancestry.

These characteristics . . . point out that this is a case replete with out-of-the-ordinary complexities which require more than just a simple one-page staff memo to understand fully. Needless to say, if those [Members of Congress] charged with the day-to-day oversight of Indian affairs do not have the necessary expertise – or even knowledge – in this area, how will the balance of our Members appropriately exercise those judgments as they will be called upon to do when this legislation reaches the floor?[12]

Interior's Office of Federal Acknowledgement Is the Proper Forum for Deciding Whether the Lumbee Should Be Federally Recognized

The Department of the Interior through the Office of Federal Acknowledgement (OFA) has an established uniform administrative process with objective criteria that can make exactly the kind of substantive, merits-based determinations that the Congress is unequipped to make. While the OFA is not perfect and needs additional funds to do the job it is supposed to do, it should not be abandoned, but fixed. To allow the Lumbees to circumvent that process would be to abandon the merits, which again we believe the Lumbees have significant problems with, in favor of old-fashioned politics.

Mr. Chairman, members of the Resources Committee have noted the harm that would come to long-standing federally recognized tribes from legislation like this:

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[12] H.R. Rep. No. 103-290, 103rd Cong., 1st Sess. at 186-87 (1993).

> Bypassing the [administrative] process not only ignores the problem [with that process], but is unfair to all of the recognized tribes. There exists a formal government-to-government relationship between the recognized tribes and the United States. If Congress creates tribes at will, without meaningful uniform criteria or substantial corroborated evidence that the group is indeed a tribe, then we dilute and weaken that relationship.[13]

Moreover, while the Lumbee have argued that the process is unfair, their bill, contrary to their argument, provides that the four other North Carolina groups, who the Solicitor's office at Interior has also determined are barred from accessing OFA under the 1956 Lumbee Act, would be authorized to submit petitions to OFA for federal acknowledgment.[14] If it is fair for these other groups to go through the OFA process, then it should be fair for Lumbee also.

Harm to Existing Tribes and Waste of Taxpayer Money

The impact on appropriations to other Indian tribes would be unprecedented in the history of federal acknowledgment. The Congressional Budget Office has determined that, based on an estimate of 34,000 Lumbees, that the cost of this legislation would be $430 million over four years. Yet the Lumbees claim approximately 54,000 members. Based upon the Congressional Budget Office's estimate and the 54,000 members claimed by Lumbee, the real cost of this bill would be over $682 million.

Accordingly, this bill would have a huge, negative impact on the budgets of Bureau of Indian Affairs and the Indian Health Service and would decrease even further the badly needed funds Indian people receive as a result of treaties and trust obligations of the United States to Indians and tribes. This Committee and the Congress should not dive into support for this legislation for emotional or political reasons, particularly without being absolutely certain that this group constitutes an Indian tribe in accordance with the objective criteria at the Office of Federal Acknowledgement, which it cannot.

CONCLUSION

If this Committee and the Congress chose to pass this legislation, the consequences will be dramatic for existing federally recognized tribes.

First and foremost, politics will have won a decided victory over sound policy. The notion of "taking the politics out of federal recognition" will have suffered its most severe setback in history.

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[13] *Id.* at 202.

[14] These groups include: the Tuscarora Nation East of the Mountains; the Tuscarora Nation of North Carolina; the Cherokee Indians of Hoke County , Inc.; and the Cherokee Indians of Robeson and Adjoining Counties.

Second, with federal acknowledgement comes the ability of a group to engage in serious activities associated with sovereign status, such as the ability to tax and enjoy certain tax advantages, the ability to exercise civil jurisdiction over non-Indians as well as Indians, and the right to engage in gaming. Enacting legislation like this only arms those who seek to erode sovereign rights with evidence that some of those with such rights were haphazardly afforded them.

Mr. Chairman, the Eastern Band of Cherokee Indians would welcome the Lumbees into the family of federally recognized tribes if they can successfully make it through the administrative process at the Department of the Interior. Absent their meeting the objective criteria at Interior, with complete vetting of their claimed tribal identity, membership lists, and other requirements, we believe that passing this legislation would be a serious mistake, with politics winning out over sound policy.

Arlinda F. Locklear, Esquire
Attorney for the Lumbee Tribe of North Carolina

It is my privilege to make this statement as counsel for the Lumbee Tribe of North Carolina in support of S.660, a bill to extend full federal recognition to the Tribe. The Tribe expresses its gratitude to Senator Burr and Senator Dole for their leadership and tireless efforts on the Tribe's behalf. The Tribe is also grateful to the Chairman and this committee for the opportunity to make its case at the hearing today - a truly compelling case for federal recognition.

The hundred year legislative record on Lumbee recognition

In one form or another, Congress has deliberated on the status of the Lumbee Tribe of North Carolina for more than one hundred years. On numerous occasions during that time, Congress has itself or directed the Department of the Interior to investigate the Tribe's history and conditions. On all such occasions, the Tribe's Indian identity and strong community have been underscored.

Congress' first experience with the Tribe followed shortly upon the heels of formal recognition of the Tribe by the State of North Carolina in 1885. The 1885 state statute formally recognized the Tribe under the name Croatan Indians of Robeson County, authorized the Tribe to establish separate schools for its children, provided a pro rata share of county school funds for the Tribe's schools, and authorized the Tribe to control hiring for the schools and eligibility to attend the schools. See North Carolina General Assembly 1885, chap. 51. Two years later, tribal leaders sought and obtained state legislation establishing an Indian normal school, one dedicated to training Indian teachers for the Indian schools. See North Carolina General Assembly 1887, chap. 254. The Indian Normal School was badly underfunded, though, leading to the Tribe's first petition to Congress for recognition and assistance in 1888.

The 1888 petition to Congress was signed by fifty-four (54) tribal leaders, including all members of the Indian Normal School Board of Trustees. All the traditional Lumbee surnames are represented in the list of signatories -- Sampson, Chavis, Dial, Locklear, Oxendine, and others -- and descendants of these signatories are active today in the tribal government. The petition sought federal assistance for the then named Croatan Indians in general and funding for the Tribe's schools in particular. Congress referred the petition to the Department of the Interior, which investigated the Tribe's history and relations with the state. The Commissioner of Indian Affairs ultimately denied the request for funding, citing insufficient resources. Thus began the Department's long-standing opposition to federal recognition of the Lumbee Tribe, typically because of the cost of providing services.

After the failure of the 1888 petition to Congress, the Tribe sought recognition more directly through proposed federal bills. In 1899, the first bill was introduced in Congress to appropriate funds to educate the Croatan Indian children. See H.R.4009, 56th Cong., 1st Sess. Similar bills were introduced in 1910 (See H.R.19036, 61st Cong., 2d Sess.) and 1911 (See S.3258, 62nd Cong., 1st Sess.) In 1913, the House of Representatives Committee on Indian Affairs held a hearing on S.3258 where the Senate sponsor of the bill reviewed the history of the

Lumbees and concluded that the Lumbees, then called Croatans, had "maintained their race integrity and their tribal characteristics;" See Hearings before the Committee on Indian Affairs, House of Representatives on S.3258, Feb. 14, 1913. In response to the same bill, the Department of the Interior dispatched C.F. Pierce, Supervisor of Indian Schools, to conduct an investigation of the Croatan Indians. Pierce reviewed the Tribe's history, acknowledged their Indian ancestry and the strength of their community, but recommended against federal assistance for the Tribe:

> It is the avowed policy of the Government to require the states having an Indian population to assume the burden & responsibility for their education as soon as possible. North Carolina, like the State of New York, has a well organized plan for the education of Indians within her borders, and I can see no justification for any interference or aid, on the part of the Government in either case. Should an appropriation be made for the Croatans, it would establish a precedent for the Catawbas of S.C., the Alabamas of Texas, the Tuscaroras of N.Y., as well as for other scattering tribes that are now cared for by the various states.

Those other tribes mentioned by Pierce have since been recognized by the United States.

In 1914, the Senate directed the Secretary of the Interior to investigate the condition and tribal rights of the Lumbee Indians and report to Congress thereon. See S.Res.410, 63rd Cong., 2d Sess. The Secretary assigned Special Indian Agent O.M. McPherson to conduct the investigation. According to the Secretary's letter to the President of the Senate transmitting the McPherson report, McPherson conducted "a careful investigation on the ground as well as extensive historical research." The report covered all aspects of the Tribe's history and condition, running 252 pages in length. See Indians of North Carolina, 63rd Cong., 3d Session, Doc. No. 677. McPherson's report again confirmed the tribal characteristics of the Lumbee Indians, but Congress took no action on the McPherson report.

In 1924, yet another bill was introduced in Congress to recognize the Lumbee Indians as Cherokee Indians of Robeson County. See H.R.8083, 68th Cong., 1st Sess. This bill failed and in 1932 a very nearly identical bill was introduced in the Senate. See S.4595, 72d Cong., 1st Sess. This bill failed as well.

The next federal bill was introduced in 1933 and was nearly identical to the prior two bills, except that it directed that the Robeson County Indians "shall hereafter be designated Cheraw Indians and shall be recognized and enrolled as such..." H.R.5365, 73d Cong., 1st Sess. In his statement at the hearing on the bill, the Secretary of the Interior attached an opinion of John Swanton, a well-respected specialist on southeastern Indians with the Smithsonian Institution, which concluded that the previously named Croatan Indians actually descended from Cheraw and other related tribes.[1] The Secretary recommended that the United States recognize

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[1] The Secretary adopted the view at the time that the Lumbee Tribe is descended from the Cheraw and other Siouan speaking related tribes based upon Dr. Swanton's study. In recent

the Tribe as the Siouan Indians of Lumber River, but also that the Congress include termination language because of the expense of providing federal Indian services to the Indians. Rep.No.1752, House of Representatives, 73d Cong., 2d Sess. The committee adopted the change proposed by the Secretary and reported the bill out favorably, but the bill was not enacted. The following year, the Senate Committee on Indian Affairs took the same action on the identical bill in the Senate, S.1632, but the Senate floor also did not act on the bill. See Rep.No.204, Senate, 73d Cong., 2d Sess.

These numerous federal bills to recognize the Tribe under various names have a common and clear legislative history -- that is, state statutes that modified the name by which the State of North Carolina recognized the Tribe. The 1899 federal bill would have recognized the Tribe as Croatan, just as the State had done in 1885. The 1911 federal bill would have recognized the Tribe as the Indians of Robeson County, just as the State had done in a 1911 amendment to state law. See North Carolina General Assembly 1911, chap. 215. The 1913 federal bill would have recognized the Tribe as the Cherokees of Robeson County, just as the State had done in a 1913 amendment to state law. See North Carolina General Assembly 1913, chap. 123. Indeed, a committee report on the 1913 federal bill explicitly acknowledged that the federal bill was intended to extend federal recognition on the same terms as the amended state law. Rep.No.826, House of Representatives, 68th Cong., 1st Sess.; see also S.4595, 72d Cong., 1st Sess. [1932 bill which referred to the 1913 state statute as its antecedent.] Thus, Congress consistently followed the lead of North Carolina in its deliberations on the Tribe's status and did so in finally enacting a federal bill in 1956.[2]

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times, Department staff that administer the administrative acknowledgment process have expressed some concern about the absence of a genealogical connection between the modern day Lumbee Tribe and the historic Cheraw Tribe. Unfortunately, births and deaths of tribal members simply were not recorded by the dominant society in the early 1700's so that a genealogical connection cannot be made. The Tribe can connect modern day members to the Lumbee community located at Drowning Creek, the known home of the Cheraw Tribe, as far back as 1790, leaving a gap in the genealogical records of approximately 70 years. Further, we know that the Cheraw Tribe was located on Drowning Creek in the 1730's and its members had at that time the unique surnames typical of the Lumbee community today, such as Locklear, Chavis, Grooms and others. Drowning Creek was renamed the Lumber River by the State of North Carolina in 1809 and the Lumbee Tribe continues to reside there today. Thus, the historical connection between the Cheraw and Lumbee Tribes is clear, notwithstanding the short gap in the genealogical record. The Department clearly had it right in 1934 when it concluded that the Lumbee Tribe is descended from the historic Cheraw Tribe.

[2] In between the 1933 bill and the 1956 Lumbee Act, the Tribe attempted to obtain federal recognition through an earlier administrative process. Congress enacted the Indian Reorganization Act in 1934, which authorized half-blood Indians not then recognized to organize and adopt a tribal constitution, thereby becoming federally recognized. The Lumbee leadership wrote to the Commissioner of Indian Affairs, inquiring whether the act applied to the Lumbees.

Legislative history of the 1956 Lumbee Act

In light of the mounting historical evidence compiled in Congress' deliberations on its recognition bills, including the McPherson Report and the Swanton opinion, the Indians of Robeson County grew dissatisfied with their designation under state law as Cherokee. Under pressure from the Tribe and after a referendum among tribal members, the State of North Carolina once again modified its recognition of the Tribe in 1953, renaming it Lumbee. North Carolina General Assembly 1953, chap. 874. Two years later, a bill identical to that one enacted by the state was introduced in Congress. See H.R.4656, 84th Cong., 2d Sess.

The federal bill passed without amendment in the House of Representatives and was sent to the Senate. The Department of the Interior objected to the bill in the Senate, just as it had done in the House, but with more success. The Secretary noted that the United States had no treaty or other obligation to provide services to these Indians and said:

> We are therefore unable to recommend that the Congress take any action which might ultimately result in the imposition of additional obligations on the Federal Government or in placing additional persons of Indian blood under the jurisdiction of this Department. The persons who constitute this group of Indians have been recognized and designated as Indians by the State legislature. If they are not completely satisfied with such recognition, they, as citizens of the State, may petition the legislature to amend or otherwise to change that recognition....If your committee should recommend the enactment of the bill, it should be amended to indicate clearly that is does not make these persons eligible for services provided through the Bureau of Indian Affairs to other Indians.

The Department's change would have been unnecessary unless the bill would otherwise have recognized the Tribe, making its members eligible for services. The Senate committee adopted the Secretary's recommendation and, when the bill was enacted into law, it contained classic termination language: "Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indian shall be applicable to the Lumbee Indians." Pub.L.570, Act of June 7, 1956, 70 Stat. 254.

The inquiry was referred to Associate Solicitor Felix Cohen, the famous author of the foremost treatise on Indian law, the Handbook of Federal Indian Law. Cohen concluded that the Lumbees could organize under the act, if some members were certified as one-half Indian blood or more and the Department approved a tribal constitution. The Tribe immediately asked the Department to make that inquiry and the Department dispatched Dr. Carl Seltzer, a physical anthropologist, for that purpose. 209 Lumbees agreed to submit to Dr. Seltzer's examination; interviews of these individuals were conducted as well as physical examinations. Dr. Seltzer certified 22 out of the 209 tribal members as one-half or more Indian blood, eligible to organize under the act. However, the Department refused to approve a tribal constitution submitted by those individuals, once again thwarting the Tribe's effort to become federally recognized.

Clearly, the 1956 Lumbee Act was intended to achieve federal recognition for the Tribe. The House sponsor for the bill wrote to Senator Scott, seeking his support for the bill, and noted that the bill was copied from the recent state law by which the State of North Carolina recognized the Lumbee Tribe. Senator Scott, who agreed to sponsor the bill in the Senate, issued a press release describing the bill as one to give federal recognition to the Lumbee Indians of North Carolina on the same terms that the State of North Carolina had recognized the Tribe in 1953. Senator Scott testified before a Senate committee that, "The State of North Carolina has already by state law recognized the Lumbee Indians under that tribal name. Giving official recognition to the Lumbee Indians means a great deal to the 4,000 Indians involved."[3]

There are also excerpts from the legislative history of the 1956 act suggesting that Congress did not intend to make the Tribe eligible for federal services, even without the amendment proposed by the Secretary of the Interior. For example, in a colloquy on the House floor, the House sponsor Mr. Carlyle was asked whether the bill would commit the United States to furnishing tribal services. Mr. Carlyle responded in the negative. Congressman Ford then stated that, "[i]t simply provides for the change of name," and Mr. Carlyle agreed. 102 Cong. Rec. 2900 (May 21, 1955).[4]

The eligibility for federal services, though, is not determinative of whether federal recognition has been bestowed. While federal recognition and eligibility for federal services are often viewed as interchangeable, they are not under federal law. The Department of the Interior has itself made this clear in the context of Congress' deliberations in 1977 on legislation to restore the previously recognized Siletz Tribe. In its comments on the bill, the Department recommended that the language in the bill restoring "federal recognition" be replaced with language restoring "the federal trust relationship." The Department explained the reason for this proposed change as follows:

> Section 3(a) states: "Federal recognition is hereby extended to the tribe." This suggests that the Siletz Indians are not now federally recognized. This is not the case; they are recognized. The termination act simply dissolved the special relationship between the Siletz Indians and the Federal government and

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[3]The tribal population figure given by Senator Scott in his statement was repeated in the House and Senate reports on the bill. *See* H.Rep.No.1654, 84th Cong., 2d sess; S.Rep.No.84-2012, 84th Cong., 2d sess. The figure was erroneous. According to a correction to the figure published in contemporaneous newspaper accounts of the statement, the Senator intended to refer to 4,000 Indian families, not 4,000 individual Indians. The total tribal population in 1956 was set in this account at 27,726. This account is consistent with 1950 federal census data.

[4]Because of the history of relations with the State, in which the recognized tribal name was changed several times over the years, the Tribe viewed the "giving of a name" as recognition. Even today, tribal members who inquire about the status of the pending bill will sometimes ask when Congress will give the Tribe its name.

> terminated any federal services and supervision. See 25 U.S.C. §691. Federal recognition and federal services are often confused and erroneously used interchangeably. Because of the close connection between federal recognition and the provision of federal services, etc., the error is understandable, but nonetheless federal recognition and federal services are not synonymous and should not be used interchangeably. In lieu of the above quoted language, we would substitute the following: "The trust relationship between the Federal government and the Siletz Indians is hereby restored."

See 1977 U.S. Code Cong. and Admin. News, p,. 3700. The 1956 Lumbee Act should be similarly construed to recognize the Tribe, even though there was no clear intent to provide federal Indian services. In effect, Congress simultaneously recognized and terminated the Tribe.

Administrative and judicial interpretation of the 1956 Lumbee Act.

Since 1956, federal agencies and courts have reached varying conclusions regarding the effect of the 1956 Lumbee Act. In 1970, the Joint Economic Committee of Congress described the Lumbee as having been officially recognized by the act, although not granted federal services. See "American Indians: Facts and Future," Toward Economic Development for Native American Communities, p. 34 (GPO 1970). Also in 1970, the Legislative Reference Service of the Library of Congress described the 1956 Lumbee Act as legislative recognition of an Indian people. See Memorandum, April 10, 1970, on Extending Federal Jurisdiction and Services to Hill 57 Indians, LRS, Library of Congress. And in 1979, the Comptroller General ruled that the 1956 act left the Lumbees' status unchanged, i.e., it neither recognized the Tribe nor terminated the Tribe's eligibility for services it might otherwise receive. The one court to construe the statute concluded it was intended "to designate this group of Indians as 'Lumbee Indians' and recognize them as a specific group..," but not to take away any rights conferred on individuals by previous legislation. Maynor v. Morton, 510 F.2d 1254, 1257-1258 (D.C. Cir. 1975) [holding that the so-called half-bloods certified under the Indian Reorganization act were eligible to receive Bureau of Indian Affairs' services].

The Congressional Research Service (CRS) thoroughly reviewed the history and various interpretations of the 1956 Lumbee Act in 1988. It did so in response to a request from the Senate Select Committee on Indian Affairs, which had under consideration at the time H.R.1426, a bill to provide federal recognition to the Lumbee Tribe. The CRS concluded as follows:

> The 1956 Lumbee legislation clearly did not establish entitlement of the Lumbee Indians for federal services. It also clearly named the group and denominated them as Indians. Without a court decision squarely confronting the issue of whether the 1956 statute confers federal recognition on the Lumbee, there is insufficient documentation to determine if the statute effects federal recognition of the Lumbees. It is, however, a step toward recognition and would be a factor that either the Department of the Interior or a court would have to weigh along with others to determine whether the Lumbees are entitled to federal recognition.

Memorandum dated September 28, 1988, reprinted in S.Rep.No.100-579, 100th Cong., 2d Sess.

Whatever its ambiguity otherwise, the 1956 Lumbee Act indisputably makes the Lumbee Tribe ineligible for the administrative acknowledgment process. See 25 C.F.R. Part 83. Under the acknowledgment regulations, the Secretary of the Interior cannot acknowledge tribes that are subject to legislation terminating or forbidding the federal relationship. Id., §83.3(e). In a formal opinion issued on October 23, 1989, the Solicitor for the Department of the Interior concluded that the 1956 Lumbee Act is such federal legislation and, as a result, the Department is precluded from considering any application of the Lumbee Tribe for federal acknowledgment. A copy of the Solicitor's opinion is attached.

Thus, the Tribe continued its efforts to obtain full federal recognition from Congress. Companion bills were introduced in the 100th Congress for this purpose, H.R.5042 and S.2672. Hearings were held on the bills, once again establishing the Lumbees' tribal existence, and the Senate bill was reported favorably out of committee. Neither bill was enacted, however. Companion bills were introduced in the 101th Congress to recognize the Tribe [H.R.2335 and S.901], but neither was enacted. Once again in the 102d Congress, companion bills were introduced [H.R.1426 and S.1036]. This time, the House of Representatives passed the bill [with 240 yeas, 167 nays, and 25 not voting], but the Senate failed to invoke cloture on debate [with 58 voting for and 39 voting against] and the bill failed. In the 103d Congress, H.R.334, a bill virtually identical to that passed in 1991, was introduced; the bill passed the House again but was never acted on in the Senate.

Legislative precedent for S.660

Only one other tribe in the history of federal Indian affairs has been placed by Congress in precisely the same position as the Lumbee Tribe, that is, half in and half out of the federal relationship, by special legislation.[5] In 1968, Congress enacted a special act regarding the Tiwas of Texas, 82 Stat. 93, one that was modeled on the 1956 Lumbee Act and left the Tiwas in the

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[5] There is a third tribe that was subject to similar legislation -- the Pascua Yaquis of Arizona. In 1964, Congress passed a statute conveying federal land to the Pascua Yaqui Association, Inc., an Arizona corporation. See 78 Stat. 1195, Pub. L. 89-14. The final section of this statute, like the Lumbee and Tiwa acts, provided that the Yaqui Indians would not be eligible for federal Indian services and none of the federal Indian statutes would apply to them. Congress has since extended full federal recognition to the Pascua Yaqui. See 25 U.S.C. §1300f. The position of the Pascua Yaqui was somewhat different from that of the Lumbees and Tiwas, since the earlier federal statute involved a state corporation and arguably would not have recognized a tribe, even without the termination language. Also, the Pascua Yaqui recognition legislation was enacted in 1978, before the administrative acknowledgment process was in place. Nonetheless, the Department proposed that Congress repeal the 1964 Pascua Yaqui bill and require that the Yaquis go through the soon to be established administrative acknowledgment process. See S.Rep.No. 95-719, 95th Cong., 2d Sess. 7, reprinted in 1978 U.S. Code Cong & Admin. News 1761, 1766. Congress refused to do so and enacted the recognition legislation.

same legal limbo.

Like the Lumbee Tribe, the Tiwas of Texas had been long recognized by the state. In the 1968 Tiwa Act, Congress designated and recognized the Indians as Tiwas, expressly terminated any federal trust relationship, and precluded the delivery of federal Indian services -- just as it had done in the 1956 Lumbee Act. In fact, the Senate committee specifically noted in its report on the 1968 Tiwa Act that the bill was "modeled after the act of June 7, 1956 (70 Stat. 254), which relates to the Lumbee Indians of North Carolina." S.Rep.No.1070, 99th Cong., 2d Sess. According to the Department of the Interior, this 1968 Tiwa Act made the tribe ineligible for administrative acknowledgment, a decision that clearly presaged the Department's construction of the 1956 Lumbee Act in 1989. Because of this unique circumstance, the Department expressed no opposition to special legislation extending full recognition to the Tiwas of Texas. In 1987, Congress removed the Tiwas of Texas from the restrictions imposed upon them in the 1968 Tiwa Act. Congress enacted the Ysleta del Sur Pueblo Restoration Act, Pub.L. 100-89, Act of August 18, 1987, 101 Stat. 667, to restore the federal trust relationship with the Ysleta del Sur Pueblo of Texas, previously known as the Texas Tiwas. Just as the 1968 Tiwa Act created a special circumstance justifying special legislation for that tribe, so does the 1956 Lumbee Act for the Lumbee Tribe.

Further, just as it did for the Tiwas of Texas, the Congress should enact comprehensive legislation as proposed by the Lumbee Tribe, legislation that resolves all related issues -- status, service delivery area, base roll, jurisdiction, etc. The Congress should not enact another half measure, one that repeals the 1956 Lumbee act and requires administrative action on the Tribe under the acknowledgment regulations for numerous reasons.

First, as a matter of fundamental fairness, the Congress should deal with the Lumbee Tribe just as it has every other tribe in the same situation, that is, by enacting recognition legislation where the tribe is ineligible for the administrative process. Congress has never passed special legislation that would require administrative action on a tribe that is under present law ineligible for the administrative process. The Lumbee Tribe is the last tribe in the country left in that position. There is no legitimate reason to depart now from Congress' legislative tradition in such circumstances, particularly since to do so would impose a tremendous burden on the Tribe - first, obtaining the passage of special legislation amending the 1956 Lumbee act, and second, subjecting the Tribe to the intrusive, time consuming, and expensive administrative acknowledgment process.

Second, there is no good purpose to be served by sending the Lumbee Tribe to the current administrative process. That process provides the Department an opportunity to examine a group's history and community to determine whether the group is, in fact, an Indian tribe. The Department of the Interior and the Congress have already made that inquiry with regard to the Lumbee Tribe on numerous occasions. In response to the Tribe's repeated requests to Congress and the Department for federal recognition, the Congress and the Department have compiled a voluminous record on the Tribe's history and community. Because that record plainly establishes

the status of the Lumbee Indians as an Indian tribe, further study of the Tribe would be a considerable waste of time (probably ten years for final agency action) and substantial waste of tribal and federal resources (in the hundreds of thousands of dollars.)

Third, there is simply no magic to the current administrative acknowledgment process. That process is not the source of all knowledge or wisdom regarding the status of Indian tribes. To the contrary, the overwhelming majority of tribes now recognized by the United States were recognized by Congress. According to a GAO report, there were 561 federally recognized Indian tribes as of November 2001. Of those, 530 were recognized by Congress and 31 were recognized by the Department of the Interior. Out of the 31 recognized by the Department of the Interior, 10 were recognized before the 1978 regulations were adopted, 14 were recognized after 1978 and under those regulations, and 7 were recognized after 1978 but without regard to the regulations. In short, there is no historical or other necessity for subjecting the Lumbee Tribe to the current administrative process, particularly since the Tribe has been repeatedly "processed" by the Department of the Interior.

Finally, given the hundred year history summarized above, the Lumbee Tribe has every reason to be skeptical of unbiased and even-handed treatment by the Department of the Interior. The Department has successfully blocked federal recognition of the Tribe for over one hundred years, both before Congress and administratively - not because the tribe is not, in fact, an Indian tribe, but largely because of the cost of doing so. It is simply not realistic to expect the Department now to do what it has never been able to do in the past - base its judgment about the Lumbee Tribe purely on the facts and not on fiscal or other considerations.

For more than one hundred years now, the Lumbee Tribe has been studied and "processed." The record produced by these studies, even those by the Department, consistently shows an independent Indian community descended from Cheraw and related Siouan speaking tribes that has existed from white contact until the present as a separate community with known and visible leaders. Under present law, the Lumbee Tribe can only be recognized by an act of Congress. Legislative precedent under these circumstances support the enactment of S.660, comprehensive recognition legislation, not another half measure.

Major provisions of S.660

The bill is appropriately structured as an amendment to the 1956 Lumbee Act, thus allowing Congress to complete the task it began in 1956. Specifically, the bill provides for:

-- explicit federal acknowledgment of the Tribe, including the application to the Tribe of all laws of the United States of general applicability to Indians and Indian tribes;[6]

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[6] One of the statutes generally applicable to Indian tribes is the Indian Gaming Regulatory Act, 25 U.S.C. §2701 et seq [IGRA.] This statute was enacted in 1988, exactly one hundred years after the Lumbee Tribe first sought federal recognition. Clearly, the Lumbee Tribe's quest is not motivated by gaming; neither has the Tribe expressed any current interest in gaming. However, the Tribe strongly believes that Congress should not pick and choose among statutes

-- the eligibility of the Tribe and its members for all programs, services, and benefits provided by the United States to Indian tribes and their members, such services to be provided in the Lumbees' traditional territory of Robeson, Cumberland, Hoke, and Scotland Counties, North Carolina (hence, limiting eligibility for services to approximately 32,000 out of the 53,000 enrolled member);

-- the determination of a service population, to be done by the Secretary of the Interior's verification that all enrolled members of the Tribe meet the Tribe's membership criteria; and

-- the granting of civil and criminal jurisdiction to the State of North Carolina regarding the Lumbee Tribe, to insure consistent and continuous administration of justice, until and unless the State of North Carolina, the Tribe, and the United States, agree to transfer any or all of that authority to the United States.

These are provisions typically found in recognition legislation and reflect the federal policy of self-determination for Indian tribes. Most importantly, it finally accomplishes the goal long sought by the Lumbee people -- treatment like every other recognized tribe in the United States.

Conclusion

Congress and the Department of the Interior have over the last century repeatedly examined the Tribe's identity and history and have consistently found the Tribe to be an Indian community dating back to the time of first white contact. There is no need for further study of the Tribe's history. There is no need for another half measure by Congress. There is need for an act of Congress that comprehensively and once and for all addresses the status of the Lumbee Tribe and all related issues. On the Tribe's behalf, I urge the committee's favorable action on S.660.

Follow-up Address

Arlinda Faye Locklear can be reached at Post Office Box 605, Jefferson, MD, 21755.

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that apply to it and subject it, once again, to second class treatment as compared to other recognized Indian tribes. Further, it should be noted that S.660 imposes more restrictions on the Tribe's ability to game under IGRA than those on tribes that are recognized through the administrative process. S.660 does not purport to restore the Tribe; as a result, even if the Lumbee membership authorized tribal leadership to negotiate a gaming compact with the State (the Lumbee tribal constitution explicitly requires a special tribal referendum to authorize such), land for such uses could only be taken into trust by the Secretary of the Interior with the consent of the Governor of North Carolina. In contrast, tribes acknowledged through the administrative process are expressly excepted from the gubernatorial consent requirement for post-1988 trust acquisitions for gaming purposes. 25 U.S.C. §2719(b)(1)(B)(ii).

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 MAIL SERVICE CENTER • RALEIGH, NC 27699-0301

MICHAEL F. EASLEY
GOVERNOR

July 6, 2006

The Honorable John McCain, Chair
Senate Committee on Indian Affairs
Room SH-838
Hart Senate Office Building
Washington, DC 20510

The Honorable Byron L. Dorgan, Vice Chair
Senate Committee on Indian Affairs
Room SH-838
Hart Senate Office Building
Washington, DC 20510

Dear Senator McCain and Senator Dorgan:

Thank you for the opportunity to submit written comments about pending legislation for federal recognition of the Lumbee Tribe of North Carolina by the Congress of the United States of America. I believe full federal recognition of the Lumbee Tribe by Congress is long overdue.

Recognition of and interaction with the Lumbee people as a unique, distinct Indian tribe began when settlers from Virginia, South Carolina and Europe first arrived in the Cape Fear and Pee Dee River Basins after the Tuscarora War (1711-1715). There, the settlers encountered a well-populated, cohesive Native American community situated mostly along and to the west of what is now known as the Lumber River in Robeson County. Historical records show a well-developed tribal group living and using the land. As early as 1890, the U.S. Department of Interior acknowledged this fact among others as evidence that the Lumbee people are Native Americans.

A proclamation by colonial Governor Matthew Rowan on May 10, 1753, stated that Drowning Creek (in Robeson County) was "the Indian Frontier." Other historical records of the eighteenth and early nineteenth centuries including Revolutionary War pensions for Lumbees who fought for American independence attest to the Lumbees as Native Americans. Logically, it is reasonable to conclude that these individuals were members of what is today known as the Lumbee Tribe.

In 1885, North Carolina's General Assembly passed a bill recognizing and naming the Lumbee tribe Croatan. In 1953, the State officially changed the tribe's name to "Lumbee Indians" following a 1952 tribal referendum.

Senators McCain and Dorgan
Page 2
July 6, 2006

For more than a century, North Carolina Governors, various state legislators and Members of the North Carolina Congressional delegation have supported the effort by the Lumbee Tribe to obtain federal recognition, beginning with a petition to Congress in 1888. Enclosed are copies of letters by former Governors James G. Martin (R) and James B. Hunt, Jr. (D) – my immediate predecessors – attesting to the strong bi-partisan support for federal recognition that the Lumbee Tribe has enjoyed during the last generation.

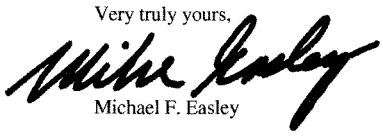
In the past, federal recognition has been denied because of opposition by the Bureau of Indian Affairs and Department of Interior on budgetary grounds. Each of several federal investigations into the Lumbees' history, genealogy and ethnicity has concluded that the Lumbees are in fact Native Americans. It follows that federal recognition should be authorized for this long-standing Native American Tribe.

Personally and on behalf of North Carolina, I offer to our fellow Lumbee citizens and to the Congress our full, unqualified support for Congressional recognition of the Lumbee Tribe. I encourage your support for the Lumbee Tribe and for the adoption of this bill.

I thank the Senate and the Indian Affairs Committee for holding this hearing and for allowing me to offer written comments about the Lumbee Tribe recognition bill.

With warm personal regards, I remain

Very truly yours,



Michael F. Easley

MFE/jc

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES G. MARTIN
GOVERNOR

July 30, 1991

Senator Daniel K. Inouye
Chairman
Senate Select Committee on Indian Affairs
Hart Senate Office Building, Room 838
Washington, D.C. 20510

Dear Senator Inouye:

I have asked James S. Lofton, Secretary of the North Carolina Department of Administration to represent me at the Joint Hearing regarding S. 1036, the Lumbee Recognition Bill, which will be held on August 1. Secretary Lofton will be accompanied by Henry McKoy, Deputy Secretary of the Department of Administration, Patrick O. Clark, Chairman of the North Carolina Commission of Indian Affairs, and A. Bruce Jones, the commission's executive director.

I fully support the passage of S. 1036 and am requesting the support of the Senate Select Committee on Indian Affairs. The State of North Carolina has recognized the Lumbee Tribe as a separate and viable Indian entity since 1885. The passage of S. 1036 will entitle the Lumbee to enjoy the same rights, privileges and services enjoyed by other federally recognized tribes in the nation and will, further, be a major step toward rectifying the inequities suffered by the Lumbee people for centuries.

I thank you for your attention to this matter and will appreciate your favorable consideration of my request.

Sincerely,

Jim Martin

James G. Martin

cc: Senator Jesse Helms
Representative Charlie Rose
Representative Charles Taylor

6-18-03; 9:13PM;

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES G. MARTIN
GOVERNOR

October 18, 1991

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

The United States House of Representatives recently passed H.R. 1426 which provides for full federal recognition of the Lumbee Tribe of Cheraw Indians of North Carolina.

I am in support of this legislation as evidenced by the enclosed testimony given on my behalf by Secretary James S. Lofton of the North Carolina Department of Administration at a joint hearing of the Senate Select Committee on Indian Affairs and the House Interior and Insular Affairs Committee held August 1, 1991. H.R. 1426 is now before the United States Senate, as is its companion bill, S. 1036.

I am requesting your support of the passage of this legislation and its subsequent signing into law following its successful passage.

Sincerely,

Jim Martin

James G. Martin

JGM:lf

Enclosure

6-18-03; 9:13PM;

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT, JR.
GOVERNOR

March 11, 1993

The Honorable Bruce Babbitt
Secretary
U. S. Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Bruce:

I am pleased that you were able to be in our state recently and I appreciated the opportunity to meet with you.

There are approximately 40,000 Lumbee Indians living in North Carolina and they have been officially recognized by the State of North Carolina since 1885. The Lumbees have been seeking federal recognition since 1888. Seven studies have shown them to be an independent Indian community.

I would like to reiterate my strong support for the Congressional process for federal recognition of the Lumbee Indian tribe in North Carolina. As you know H. R. 334, introduced by Congressman Charlie Rose of North Carolina, would provide such recognition. We support that legislation as stated in my letter of January 28, 1993.

Federal recognition of the tribe has been endorsed by the N.C. Commission of Indian Affairs, the Governors' Interstate Indian Council, and the National Congress of American Indians which is the oldest and largest Indian organization in the country.

The Honorable Bruce Babbitt
March 11, 1993
Page 2

In 1956 a bill was passed by the Congress to recognize the Lumbee tribe, but it denied the tribe the benefits or protections afforded to Indians by the U.S. of America.

For over 100 years the Lumbees have tried to obtain federal recognition, but to no avail. It is my opinion that the administrative recognition process that was proposed by the previous administration simply is too cumbersome, time-consuming, costly and has not worked effectively. Therefore, I would urge you to support the Congressional recognition process as proposed by Congressman Rose.

I want to work with you and the President in any way possible to help the Lumbee Tribe receive Congressional recognition. I am confident that this recognition is not only in our state's and the tribe's best interest, but in the interest of the United States as well.

Sincerely,

James B. Hunt, Jr.

6-18-03; 9:13PM;

FEB 03 '93 12:54 GOV'S COMMUNICATIONS P.1

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27603-8001

JAMES B. HUNT, JR.
GOVERNOR

January 28, 1993

Post-it™ brand fax transmittal memo 7671 | # of pages ▶ 1
To: Linda Sarbes | From: Bruce Babbitt
Co. | Co.
Dept. | Phone #
Fax # (801) 403-5164 | Fax # (202) 233-4390

The Honorable Bruce Babbitt
Secretary
U.S. Department of Interior
Washington, DC 20240

Re: Federal Recognition of the Lumbee Indians

Dear Bruce:

This letter is to ask for your assistance in obtaining federal recognition for the Lumbee Indian tribe, which has many members in North Carolina. Congressman Charlie Rose (D-N.C.) has introduced a bill (H.R. 334) that would provide such recognition.

Before the House Subcommittee on Indian Affairs considers H.R. 334, I understand that the Clinton Administration will release its position on the bill. I ask that you and the President support the bill.

The Lumbee have 40,000 enrolled members in the United States and should be recognized. In fact, seven studies in this century have shown them to be an independent Indian community.

I appreciate your consideration of this letter. Please contact Congressman Rose or me if we can assist you in any way with this matter.

My warmest personal regards.

Sincerely,

James B. Hunt, Jr.

P.O. Box 668 Newell NC 28126
original22@carolina.rr.com
704-596-7448

The Tuscarora Nation of Indians of the Carolinas

June 27, 2006

The Honorable John McCain
United States Senator
Chairman, Senate Committee on Indian Affairs
241 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Byron Dorgan
United States Senator
Vice Chairman, Senate Committee on Indian Affairs
322 Hart Senate Office Building
Washington, D.C. 20510

RE: S. 660

Dear Senators McCain and Dorgan:

I am writing as the Chairwoman of the Tuscarora Nation of Indians of the Carolinas with respect to S. 660, a bill to provide for the acknowledgment of the Lumbee tribe of North Carolina, which I understand was scheduled for markup on Thursday June 22, 2006. I would like to take this opportunity to remind the Committee that this proposed legislation is very controversial and that the Tuscarora Nation of Indians of the Carolinas strongly opposes Lumbee recognition. Should the Committee ever elect to conduct a hearing on this bill or any other Lumbee recognition legislation, I respectfully request that I be allowed to testify on behalf of the Tuscarora Nation of Indians of the Carolinas in opposition to Lumbee recognition.

The Tuscarora Nation of Indians of the Carolinas does not believe that the Lumbee qualify as an American Indian tribe. Moreover, we are concerned that they claim as their own a history and lineage that actually belongs to the Tuscarora Nation of Indians of the Carolinas, not the Lumbee.

In 1936 the Bureau of Indian Affairs sent Harvard Anthropologist Carl Seltzer to Robeson County, North Carolina to study the people there who claimed to be Native Americans. He found only 22 individuals who met the requirement of 1/2 or more Indian blood as set forth in the 1934 Indian Reorganization Act. These "original 22" were Tuscarora, descendants of the Tuscarora Nation-a prominent Native American presence in pre-colonial times in what is now North Carolina and parts of surrounding states. Following the Tuscarora Wars with North Carolina in the early 1700's, the Tuscarora were given a reservation in Bertie County, North Carolina, where they lived until most of the Nation moved to New York where they became the Sixth Nation of the Iroquois Confederacy. A small band remained behind in their homeland, however. They were the forbearers of today's Tuscarora Nation of Indians of the Carolinas.

The Lumbee have formed a "tribe" by including various Indian groups in and around Robeson County, North Carolina "claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina." This plan was advanced without the consent of the Tuscarora, whose history has nevertheless been made a prominent component of the Lumbees' claim to federal recognition. The Tuscarora never claimed the mixed ancestry that defines the Lumbee, nor have we been allowed to share in the state and federal programs administered by the Lumbee, supposedly, at least in part, on our behalf. The Tuscarora have suffered at the hands of the Lumbee from exploitation without representation. When our people tried to share in Lumbee-administered housing and education programs, we were told we must first enroll as Lumbee "Indians" --denouncing our Tuscarora heritage- before we could get help with repairing our modest trailers and shacks and before we could send our children to kindergarten. Many of the Tuscarora in North Carolina are destitute and uneducated. Our members are mostly unsophisticated and desperately in need of the benefit of federal programs designed to help them work their way out of an inter-generational cycle of illiteracy and poverty.

In 1973 the Tuscarora sought relief from the 1956 Lumbee Act in the Court of Claims. The pleadings from that case, now preserved at the National Archives and Records Administration, explained that the Tuscarora were an ethnologically distinct Indian tribe, challenged their being drawn in under the Lumbee Act, and sought to have the Lumbee Act repealed and its improper enactment investigated. The court was unable to provide the requested relief, however, and so this exploitation continues.

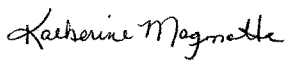
For example, on April 1, 2004, Arlinda Locklear, attorney for the Lumbee, told the House Resources Committee during a hearing on H.R.898 "To provide for the recognition of the Lumbee Tribe of North Carolina" that "[a]pproximately 200 Lumbees agreed to submit to Dr. Seltzer's examination; interviews of these individuals were conducted as well as physical examinations. Dr. Seltzer certified 22 out of the 200 tribal members as one-half or more Indian blood, eligible to organize under the [Indian Reorganization] act." Contrary to Arlinda's assertion, however, the "original 22" were not "Lumbee." They were Tuscarora. Moreover, the very name "Lumbee" (derived from the local Lumber River) was created many years after Dr. Seltzer's studies. The Tuscarora were not allowed to testify at that hearing despite requests to Committee staff to be included on the agenda. When I showed up in person at the hearing, I was blocked at the door by Lumbee members who told me that the hearing was about their recognition and that they could determine who would get in.

We find it disturbing to see pictures of our own ancestors blatantly displayed as Lumbee, without our consent, in Lumbee publications and on the Lumbee websites.

The Tuscarora Nation of Indians of the Carolinas wishes to be allowed to make its own case for federal recognition, a case it believes to be well-based and in keeping with the intent of Congress and implementing regulations. We have been lumped together with the Lumbee, however, under the Department of Interior's interpretation of the 1956 Lumbee Act, an association that we find infinitely distasteful. We have submitted our letter of intent to the Office of Federal Acknowledgment and are pursuing the federal recognition process through normal channels as quickly as our limited resources will allow. The OFA has advised, however, that it cannot consider our petition for recognition until Congress releases the Tuscarora from the restrictions of the Lumbee Act. The Tuscarora Nation of Indians of the Carolinas fear that recognition of the Lumbee by Congress would seal our fate, delegating us to obscurity within an alien and hostile group.

Again, I would welcome the opportunity to testify on behalf of the Tuscarora Nation of Indians of the Carolinas if legislation to acknowledge the Lumbee is ever brought to the Committee for a hearing. Our counsel, the Nordhaus Law Firm, would also welcome the opportunity to provide the Committee with supplemental documentation to assist with its evaluation of federal tribal recognition questions. If you have any questions, please contact Don Grove or Jill Grant at the Nordhaus Law Firm at 202-530-1270.

Respectfully submitted on behalf of the
Tuscarora Nation of Indians of the Carolinas,



Katherine Magnotta
Chairwoman

cc: The Honorable Pete Domenici
The Honorable Daniel Inouye
The Honorable Craig Thomas
The Honorable Kent Conrad
The Honorable Gordon Smith
The Honorable Daniel Akaka
The Honorable Lisa Murkowski
The Honorable Tim Johnson
The Honorable Michael Crapo
The Honorable Maria Cantwell
The Honorable Richard Burr
The Honorable Tom Coburn
The Honorable Elizabeth Dole
The Honorable G.K. Butterfield
The Honorable Howard Coble
The Honorable Bob Etheridge
The Honorable Virginia Foxx
The Honorable Robin Hayes
The Honorable Walter B. Jones
The Honorable Patrick T. McHenry
The Honorable Mike McIntyre
The Honorable Brad Miller
The Honorable Sue Myrick
The Honorable David Price
The Honorable Charles H. Taylor
The Honorable Mel Watt

P.O. Box 668 Newell NC 28126
original22@carolina.rr.com
704-596-7448

The Tuscarora Nation of Indians of the Carolinas

July 5, 2006

The Honorable Elizabeth Dole
United States Senator
Senate Committee on Indian Affairs

Re: S. 660

Dear Senator Dole:

As you are aware, the Senate Indian Affairs Committee will hold a hearing on July 12, 2006 on S. 660, a bill to federally recognize the Lumbee Indian Tribe of North Carolina. I would like to request a meeting with you or a member of your staff prior to the hearing to inform you of important questions related to this bill that should be addressed during the Committee hearing.

I refer you to my letter to you dated June 27, 2006 stating that the Tuscarora Nation of Indians of the Carolinas is strongly opposed to S. 660. As such, I respectfully request to appear before the Committee to testify on behalf of the Tuscarora Nation of Indians.

I, and representatives from the Nordhaus Law Firm are available to meet with either you or a member of your staff at any time on Tuesday, July 11, 2006, to discuss these issues further. We are also available to discuss these issues by phone prior to the 11th. Please contact Joshua Arnold at 202-530-1270 to finalize the details of the meeting. I look forward to hearing from you or your staff very soon. If you should have any questions or concerns, please do not hesitate to contact me or Donald Grove of the Nordhaus Law Firm at 202-530-1270 Thank you for your attention to this matter.

Respectfully submitted on behalf of
The Tuscarora Nation of Indians of the Carolinas,

Katherine Magnotta

Katherine Magnotta
Chairwoman

cc: The Honorable John McCain
The Honorable Byron Dorgan
The Honorable Pete Domenici
The Honorable Daniel Inouye
The Honorable Craig Thomas
The Honorable Kent Conrad
The Honorable Gordon Smith
The Honorable Daniel Akaka
The Honorable Lisa Murkowski

Restoring the Spirit of Native Americans

Calendar No. 229

73D CONGRESS, 2d Session | SENATE | REPORT No. 204

SIOUAN INDIANS OF LUMBER RIVER

JANUARY 23 (calendar day, JANUARY 24), 1934.—Ordered to be printed

Mr. WHEELER, from the Committee on Indian Affairs, submitted the following

REPORT

[To accompany S. 1632]

The Committee on Indian Affairs, to whom was referred the bill (S. 1632), providing for the recognition as "Siouan Indians of Lumber River", of certain Indians in the State of North Carolina, having considered the same report thereon with a recommendation that it do pass with the following amendments:

On page 1, line 5, strike out beginning with the word "Cheraw" and all the lines 6, 7, 8, 9, 10, 11, 12, and 13 substituting the following:

Siouan Indians of Lumber River, and shall be so recognized by the United States Government: *Provided*, That nothing contained herein shall be construed as conferring Federal wardship or any other governmental rights or benefits upon such Indians.

Amend the title so as to read: "A bill providing for the recognition as Siouan Indians of Lumber River of Certain Indians in the State of North Carolina."

This bill has the recommendation of the Secretary of the Interior if amended as suggested in his letter dated January 10, 1934.

The letter of the Secretary of the Interior, together with a memorandum of Dr. J. R. Swanton, of the Smithsonian Institution, follow:

INTERIOR DEPARTMENT,
Washington, January 10, 1934.

Hon. BURTON K. WHEELER,
Chairman Committee on Indian Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: This will refer further to your letter of May 11, 1933, requesting a report on S. 1632, which provides for the enrollment of the Croatan Indians of North Carolina as Cheraw Indians, and would permit their children to attend Government Indian schools.

These Indians in Robeson and adjoining counties in North Carolina have heretofore been designated by the General Assembly of the State of North Carolina as "Cherokees"; and several bills have been introduced in Congress for their recognition and enrollment as Cherokees of North Carolina, and to permit their children to attend Government Indian schools.

An adverse report was made on the last bill for such purposes—S. 4595 (72d Cong., 2d sess.), July 12, 1932, by the Department, which transmitted a memorandum from the Indian Office dated May 24, 1932, giving the status of these Croatans as follows:

In Bulletin No. 30, part I, of the Bureau of American Ethnology, the following statement occurs as to these Indians:

"The theory of descent from Raleigh's lost colony of Croatan * * * may be regarded as baseless, but the name itself serves as a convenient label for a people who combine in themselves the blood of the wasted native tribes, the early colonists or forest rovers, the runaway slaves or other Negroes, and probably also of stray seamen of the Latin races from coasting vessels in the West Indian or Brazilian trade."

The records show that the United States has never entered into treaty relations with, or provided benefits for, the Croatans; that such assistance or lands as have been given them have been from the local or State government; that their status is similar to that of other citizens of like class in the State in which they reside, and that North Carolina maintains a system of schools for them. It is further shown that the Federal Government is in no way indebted to them; and that if by enrollment and recognition as provided in the bill mentioned they are seeking assistance of the Government, such claims for assistance have no merit other than that which would attach to other needy citizens in the various States.

As directed by Senate Resolution No. 410, dated June 30, 1914, a careful investigation of their condition was made and the report of the investigating officer is printed as Senate Document No. 677 (63d Cong., 3d sess.). This report showed, among other things, that until 1835 these Indians were recognized as citizens of the State of North Carolina, but were disfranchised in that year and placed upon the footing of free persons of color. Later in 1885 their civil rights were restored and they are now recognized as citizens of the State.

It is estimated that there are approximately 8,000 of these Indians, the majority of whom live in Robeson County. They speak the English language, are quite industrious, devoting most of their time to agricultural pursuits, and very few of them can be classed as full-bloods. It would appear from other facts set forth in the document referred to that the Federal Government is under no obligations whatsoever to this group of people. We believe that the enactment of this legislation would be the initial step in bringing these Indians under the jurisdiction of the Federal Government. Certainly it would have the effect of providing educational facilities for some of them at the expense of the Government. Since the Federal Government does not have any responsibility for these people, it is not for us to say whether or not they should be classed as Cherokees. The General Assembly of the State of North Carolina, which State is responsible for these Indians, has already designated them as Cherokees.

Bulletin No. 30, above mentioned, states that the Cheraw are very probably of Siouan stock, and range in central Carolina east of the Blue Ridge, from about the present Danville, Va., southerly to the neighborhood of Cheraw, S.C., which takes its name from them; that between 1726 and 1739 the remnant of this tribe, being subject to attack by the Iroquois, became incorporated with the Catawbas of South Carolina.

Should the bill as it now reads be enacted, it is estimated that the eventual charge against the Federal Treasury, to provide school facilities and educate some 2,000 children of school age, would approximate $700,000 the first year, and about $500,000 annually thereafter.

As the Federal Government is not under any treaty obligation to these Indians, it is not believed that the United States should assume the burden of the education of their children, which has heretofore been looked after by the State of North Carolina.

In view of the foregoing, I do not favor the bill in its present form. However, I do believe that legislation to clarify the status of these Indians is desirable. Therefore, it is suggested that all after the enacting clause be stricken out and the following substituted therefor:

That those Indians in Robeson and adjoining counties, North Carolina, who were formerly known as "Croatan Indians," shall hereafter be designated "Siouan Indians of Lumber River," and shall be so recognized by the United States Government: *Provided*, That nothing contained herein shall be construed as conferring Federal wardship or any other governmental rights or benefits upon such Indians.

In this event, the title should be changed to read: "A bill providing for the recognition as Siouan Indians of Lumber River of certain Indians in the State of North Carolina."

If thus amended, I recommend the enactment of the bill.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D.C., 1933.

PROBABLE IDENTITY OF THE "CROATAN" INDIANS BY DR. J. R. SWANTON, SMITHSONIAN INSTITUTION

The name "Croatan" has been given to a body of people of white and Indian origin living mainly in Robeson County, N.C., but scattered also in Bladen, Columbus, Cumberland, Scotland, and Hoke Counties, and in Sumter, Marlboro, and Dillon Counties, S.C. In 1910, 5,895 were returned from Robeson County, and it was estimated that the families scattered outside of it (beyond the boundaries of this county) would raise the total to about 8,000. Prior to 1835 the adult males of this tribe exercised the right of franchise and a few of their children are said to have been admitted to the white schools though most of them received their instruction in "subscription" schools organized by themselves. By clause 3 of section 3 of the amendments to the State constitution of 1835 they lost the right of franchise and until the adoption of the constitution of 1868 they were regarded and treated as "free persons of color", which practically meant free Negroes and their children were excluded from white schools. Between 1868 and 1885 unavailing attempts were made to compel them to use the Negro schools but they preferred to allow their children to grow up in ignorance.

In 1885 through the efforts of Hon. Hamilton McMillan, who believed them to be descendants of the lost Raleigh colony, they received the designation "Croatan Indians", and were granted schools of their own. In 1888, 54 of these Indians petitioned Congress for aid and their petition was referred to the Indian Office but the Commissioner of Indian Affairs replied that he was unable to help them. By an act of the General Assembly of North Carolina ratified March 11, 1913, these Indians were designated "Cherokee Indians of Robeson County." On June 30, 1914, the Senate of the United States passed a resolution directing the Secretary of the Interior "to cause an investigation be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina", and this investigation was intrusted to Special Indian Agent O. M. McPherson who turned in his report on September 19, 1914. On January 4, 1915, the Secretary of the Interior Franklin K. Lane transmitted it to the Senate. This report covers 252 pages and quotes extensively from the early historical sources. It includes sketches of the history of tribes possibly related to this and contains sections dealing with the economic, social, and legal status of the tribe in question. Mr. McPherson is cautiously noncommital as to their precise affiliations.

My first encounter with a Robeson County Indian was in the office of Mr. Mooney a few years before his death. He called me in on this occasion, pointed to a tall swarthy individual standing near and asked me if I did not clearly recognize the Indian features.

Recently my interest was reawakened by a delegation sent to me by the Commissioner of Indian Affairs to answer certain questions regarding their history about which he thought I might have information. As their quest fell in line with some researches I had already been engaged upon, I spent a few days looking into the matter. This information seeming to be of interest in certain quarters, I am committing the main facts to paper.

When whites made their appearance on the southeastern coast of the present United States, the piedmont region of Virginia and North Carolina and most of that of South Carolina was occupied by tribes belonging to the great Siouan family, a great linguistic group named after the well-known Sioux or Dakota Indians. In fact, the only exceptions were in the southernmost parts of South Carolina where Muskhogean Tribes had intruded and a narrow strip of country along the fall line, between the Nottaway and Neuse Rivers, where lived three Iroquoian Tribes, the Nottaway, Meherrin, and Tuscarora. Two small tribes

on the lower course of Neuse River, the Neusick and Coree, were also perhaps of Iroquoian lineage, and between Cape Fear River and Winyaw Bay the Siouans had pushed as far as the coast. The rest of the tide-water country of North Carolina and Virginia was occupied by Algonquian peoples. In the mountains to the west were the powerful Cherokee, related somewhat remotely to the Iroquois.

"The Siouan tribes of the east" were the subject of a special bulletin by Mr. Mooney which is the standard work on the subject. One point, however, is not brought out clearly in his treatment, and that is the linguistic differences which existed between the Siouan tribes of Virginia and those of the Carolinas. The tongue or tongues of the former, as shown by the fragmentary evidence which has come down to us, was rather closely related to Dakota, Hidatsa, and other well-known Siouan languages to the northwest. This group comprised the Manhoac, Monacan, Saponi, Tutelo, and Occaneechi. The tribes to the south, however, seem to have been closely connected with the Catawba, and Catawba is the most aberrant of all Siouan languages.

In 1540 De Soto passed through the westernmost territories of the Siouans, encountering in particular the Zuala or Cheraw. In 1566 and 1567 a Spanish officer named Juan Pardo was despatched inland from the new post at Santa Elena (modern Beaufort, S.C.). He retraced as far as Tennessee River the route that had been followed by De Soto but also made an excursion to the east among the Siouan tribes on the Saluda and Congaree, and perhaps as far as the Wateree. In one or two places, including the Wateree town, he constructed small forts and left details of soldiers which were afterwards destroyed by the natives. Already before Pardo appeared, the Siouan peoples were probably moving toward the northeast, owing to the southward trek of the Cherokee, and this movement appears to have been accelerated by the Spanish invasions, and perhaps fear of reprisal after the destruction of the stockades. There is evidence of such a movement on the part of the Cheraw, Eno, Shakori, Keyauwee, and Saxapahaw. All except the first were close upon the frontiers of Virginia by the middle of the seventeenth century.

About this time events in the north, particularly the pressure of Iroquoian tribes, had induced some Siouan peoples of Virginia to move south until certain of them reached the northern part of the present State of North Carolina. A little later they moved toward the east, and in 1714 Governor Spotswood settled some of these near a fort which he called Fort Christanna on Meherrin River. Almost all of these Indians, as shown by the names, belonged to the Virginia Siouans including some of the Manahoac, the Occaneechi, Saponi, and Tutelo. The Monacan appear to have remained for a while longer in their town on James River. In 1722 after peace was made between the Iroquois and the Virginia Indians the Siouans at Fort Christanna began to move north, settled for a time at Shamokin, later at Tioga and finally reached the Iroquois country where their descendants are today.

But significantly enough the remaining Siouan Tribes living in central North Carolina gravitated in the opposite direction. In 1716 Governor Spotswood of Virginia proposed to settle the Eno, Cheraw, and Keyauwee at Eno town on the North Carolina frontiers but his project was defeated by the people of the latter colony on the ground that these tribes were then at war with South Carolina. Some time later the Eno moved on into South Carolina and there is every reason to suppose that the Shakori accompanied them since the two tribes were always closely associated. The Sissipahaw may also have participated in the movement, because they were in the same country and by Barnwell are equated with the Shakori. Later the Keyauwee moved to the Peedee and at about the same time the Cheraw, the two tribes settling on that stream, the Keyauwee above and the Cheraw below. During the Yamasee war the Cheraw took the most conspicuous part against South Carolina, but presently some of them passed over to the Catawba and are mentioned among the Indians of that tribe as late as 1768 when they numbered 50 or 60. If we are to believe Adair, at least a part of the Eno also united with the Catawba, since he mentions the Eno language as one of those spoken in the Catawba Nation.

This evidence shows, therefore, that in the early part of the eighteenth century a considerable number of small Siouan tribes converged upon the upper Peedee where they lived for a considerable period; that a part at least of one, the Cheraw, afterwards united with the Catawba; that another, the Eno, probably did the same thing; and that the Shakori and Sissipahaw, closely related tribes, may have accompanied them. The Keyauwee, however, occupied a village of their own on Peedee River, and no mention is made of any subsequent removal on their part.

On the other hand there are indications that certain of the Indians who had gone to the Catawba subsequently returned. In the course of his investigations

above mentioned Mr. McPherson interviewed an old "Croatan" Indian named Wash Lowrie claimed to be almost 80. This old man informed him that "he was told by Aaron Revels, then 100 years old, and Daniel Lowrie, his father, then 73 years old, and Joe Chavis, age 90, that these Indians in Robeson County came from Roanoke in Virginia. That after remaining in Robeson County for some time they went to the mountains with the other Cherokees, but a number returned on account of leaving relatives in Robeson County, where they had mixed with the other tribes and probably with several of the whites. This statement has been misunderstood on account of an obsession that the Robeson County Indians were Cherokee and confusion between Roanoke River and the city of Roanoke. When we understand the facts regarding Cheraw history, these statements begin to have meaning and the story is consistent. Previous to 1700 they had settled on the Dan River near the southern line of Virginia, and it is to be remembered that the Dan and Staunton unite to form the Roanoke. They moved south about 1710 on account of Iroquois attacks and established themselves on the upper Peedee near the present settlements of the "Croatans", some Occaneechik, Saponi, and Tutelo who had been living near the junction of the two rivers perhaps accompanying them. Later we know that some Cheraw moved to the Catawba country and this accounts for the tradition that "they went to the mountain with the other Cherokee." The return of part of them at a later date is not recorded in any history of the section known to me, but it is highly probable.

In 1754 Governor Dobbs, of North Carolina, asked from each county in the Province a report regarding the military force it contained and incidentally the number of Indians if any. The report returned for Bladen County, which then included Robeson, does not mention Indians. It says, in fact, there were none but notes that on Drowning Creek at the head of Little Pedee River, was a mixed crew, a lawless people who had possessed themselves of land without patents and without paying any quit rents, and who were reported to have shot a surveyor. They were apparently recognized as whites.

Whatever these people may have been, there is no question that the ancestors of the Indians of Robeson County were in the country when the census of 1790 was taken. The files of this census for North Carolina have columns for white males over 16, for white males under 16, for white females, free nonwhites, and for slaves. Among "free nonwhites" were to be included principally free Negroes and Indians. It is also to be assumed that more free Negroes would attach themselves to white families by whom some of them had been freed, than would the Indians. Therefore groups of individuals noted as wholly "free nonwhite" would be more likely to contain the Indians than those attached to white families, except where we find it noted that such a family contained white females for they would certainly be more likely to marry or mix with Indians than with Negroes, and except where single individuals are reported in this category the census gives the names of heads of families and when we examine these we find that the great majority returned from Robeson and adjoining counties have names characteristic of the Robeson County Indians of today, such as Locklear, Lowrie, Chavis, Oxendine, Brayboy or Braveboy, Revels, Brooks, and Cumbo.

The claim that these Indians were Cherokee is based partly on the assumption that they were descended from Cherokee auxiliaries who had accompanied Colonel Barnwell in his campaign against the Tuscarora in 1711–12. Rivers, the South Carolina historian, does, indeed, say that there was a body of Cherokee as well as a body of Creeks with Barnwell, but he is wrong because Barnwell himself, in a letter dated February 4, 1712, gave a detailed statement of all the Indian tribes represented in his army, and this includes a very complete representation from all of the Siouan Tribes in the region, besides contingents from the Muskhogean Apalachee, Yamasee, and Cusabo and from "Hog Logees" (Yuchi). The Yamasee were plainly withdrawn at the end of the contest. Nor are Cherokee settlers accounted for by the Indian allies of Colonel Moore who headed the second Tuscarora expedition. To be sure he set out with a force of native auxiliaries said to number about a thousand but after the taking of Fort No-ho-ru-co all but 180 of these returned to South Carolina and there is no evidence that the 180 remained permanently.

Confusion of these Indians with the Cherokee was probably due in part to the fact that the Cherokee have been their nearest neighbors of consequence for a long period and in part because of the resemblance between the names Cheraw and Cherokee.

Evidence that these people were connected with the Croatan is still less valid. Croatan was the name of an island and an Algonquian Indian town just north of Hatteras, to which the survivors of the Raleigh colony are supposed to have

gone since, when White revisited the site of the colony on Roanoke Island in 1590, he found no trace of it except the name "Croatan" carved upon a tree. But, assuming that the colonists did remove to Croatan there is not a bit of reason to suppose that either they or the Croatan Indians ever went farther inland.

The evidence available thus seems to indicate that the Indians of Robeson County who have been called Croatan and Cherokee are descended mainly from certain Siouan Tribes of which the most prominent were the Cheraw and Keyauwee, but they probably included as well remnants of the Eno and Shakori, and very likely some of the coastal groups such as the Waccamaw and Cape Fears. It is not improbable that a few families or small groups of Algonquian or Iroquian connection may have cast their lot with this body of people, but contributions from such sources must have been relatively insignificant. Although there is some reason to think that the Keyauwee Tribe actually contributed more blood to the Robeson County Indians than any other, their name is not widely known, whereas that of the Cheraw has been familiar to historians, geographers, and ethnologists in one form or another since the time of De Soto, and has a firm position in the cartography of the region. The Cheraw, too, seem to have taken a leading part in opposing the colonists during and immediately after the Yamasee uprising. Therefore, if the name of any tribe is to be used in connection with this body of 6 or 8 thousand people, that of the Cheraw would, in my opinion, be most appropriate.

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Public Law 570 - 84th Congress
Chapter 375 - 2d Session
H. R. 4656

AN ACT

Relating to the Lumbee Indians of North Carolina.

Whereas many Indians now living in Robeson and adjoining counties are descendants of that once large and prosperous tribe which occupied the lands along the Lumbee River at the time of the earliest white settlements in that section; and

70 Stat. 254.
70 Stat. 255.

Whereas at the time of their first contacts with the colonists, these Indians were a well-established and distinctive people living in European-type houses in settled towns and communities, owning slaves and livestock, tilling the soil, and practicing many of the arts and crafts of European civilization; and

Whereas by reason of tribal legend, coupled with a distinctive appearance and manner of speech and the frequent recurrence among them of family names such as Oxendine, Locklear, Chavis, Drinkwater, Bullard, Lowery, Sampson, and others, also found on the roster of the earliest English settlements, these Indians may, with considerable show of reason, trace their origin to an admixture of colonial blood with certain coastal tribes of Indians; and

Whereas these people are naturally and understandably proud of their heritage, and desirous of establishing their social status and preserving their racial history: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians now residing in Robeson and adjoining counties of North Carolina, originally found by the first white settlers on the Lumbee River in Robeson County, and claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina, shall, from and after the ratification of this Act, be known and designated as Lumbee Indians of North Carolina and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of North Carolina and of the United States as they enjoyed before the enactment of this Act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of North Carolina and the United States. Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

Lumbee Indians of North Carolina.

SEC. 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Approved June 7, 1956.

GPO 7 11 94

O R [redacted]

HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

INTERIOR AND INSULAR AFFAIRS

Subcommittee on Indian Affairs

H. R. 4656

RELATING TO THE LUMBEE INDIANS OF NORTH CAROLINA

Volume 1
Pages 1-21

UNREVISED AND UNEDITED. NOT FOR QUOTATION
OR DUPLICATION IN ANY FORM

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

Friday, July 22, 1955
Washington, D.C.

Official Reporters to Committees

Sep 12:05 11:56a Kathenne 704-596-7448 p1

Series
1-43

H. R. 4656

- - -

RELATING TO THE LUMBEE INDIANS OF NORTH CAROLINA.

- - -

FRIDAY, JULY 22, 1955

House of Representatives,

Subcommittee on Indian Affair
of the Committee on Interior
and Insular Affairs,

Washington, D. C.

The Subcommittee met at 10:00 a.m. in the Committee Roo
of the House Committee on Interior and Insular Affairs, the
Honorable James A. Haley (Chairman of the Subcommittee) pre-
siding.

Mr. Haley. The Subcommittee will be in order.

The Subcommittee has before it this morning H. R. 4656,
introduced by Mr. Carlyle,

"A bill relating to the Lumbee Indians
of North Carolina."

(The bill is as follows:)

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Mr. Haley. We are very happy to have Mr. Carlyle with us this morning. Would you like to make a statement on the bill, sir?

STATEMENT OF THE HONORABLE F. ERTEL CARLYLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLIN

Mr. Carlyle. Thank you very much, Mr. Chairman. I should like to make a brief statement.

Mr. Chairman and gentlemen: The bill that I am interested in at this time is H. R. 4656. At this point in the record I should like to insert a copy of this bill, which is very brief. I do that for the purpose of having the comparison in the record with a bill which two years ago passed the General Assembly of North Carolina.

This bill that I have introduced in Congress is a duplicate in every respect of the bill that passed the General Assembly of North Carolina two years ago.

I should like to insert in the record a certified copy of the law as it exists in North Carolina at this time, and as it has for two years.

Now, the purpose of this bill is to designate a very fine group of citizens of my home county as Lumbee Indians of North Carolina. There is nothing in this bill in which people of any other state could be interested.

Robeson County is one of 100 counties in North Carolina

It is the largest county in North Carolina. We have approximately 100,000 people residing in that county. I would say that 25,000 to 30,000 people in that county belong to the Indian Race. They are people who trace their ancestry, according to the best information that I have, to Sir Walter Raleigh's Lost Colony. That is the colony, as you recall, that landed at Roanoke, North Carolina, in 1587.

The Indians of Robeson County are interested in being designated on the Federal level as Lumbee Indians of North Carolina. Now, the word "Lumbee" according to my information is an Indian word meaning "black water". It was on the bank of the Lumbee River that the Indians of Robeson County first made contact with the white settlers of this country. That is the reason they have selected the word "Lumbee".

Now, I should like for you to recall that there is nothing in this bill that requests one penny of appropriation of any kind. There is nothing in this bill that would call for any upkeep or expenditure. It just simply relates to the name of these people of the county.

I should like to call your attention to the fact that the State of North Carolina has been extremely interested in these Indians throughout the years. They have their own schools. They are interested, of course, in their churches. [illegible] practically every hill in my county. The Indians [illegible] farmers. They are good merchants. They are

interested in civic affairs. They are interested in their politics; they take an active interest in our public officials. Some of them are public officials in our county.

I do not know just exactly what phase of this bill you may be asking yourselves questions about. If you think of any question that may be disturbing you at any time I should like for you to ask me, to see if I can clear up that point with you.

There is not a whole lot I can say about this bill, other than to say that I know these Indians are interested in this bill. It was at their request that I introduced the bill. Before I introduced it had passed the General Assembly of North Carolina two years ago.

Before the bill was introduced at Raleigh in the Legislature, they had had a referendum. The question was submitted to the Indians of Robeson County, as to whether or not they would like to have this change of name. If I understand correctly, the vote was overwhelmingly in favor of changing the name.

I have given rather wide publicity to the fact that this bill was to be heard before this Committee this morning, down in this area of North Carolina, and I have received no protest. I do not know of any substantial opposition. I would not undertake to say that every Indian in Robeson County is in favor of the bill, but none have

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mentioned to me the fact that they had any opposition at all.

That is just about the statement that I should like to make.

Mr. Haley. Thank you very much, Mr. Carlyle. At this point we will include in the record the two documents referred to earlier.

(The documents are as follows:)

Mr. Carlyle. I should like, if there are no questions, to call on Reverend D. F. Lowery.

Mr. Haley. Just a minute, Mr. Carlyle. The gentleman from Colorado has a question.

Mr. Aspinall. I should like to join with my Chairman in welcoming our colleague before our Committee. As I remember it, this is the first time we have had the pleasure of
2 your appearance before this Committee.

Mr. Carlyle. That is correct.

Mr. Aspinall. I have only two questions. Perhaps I should reserve them. If you think I should just say so.

The first question is: What are the tribal origins of these Indians?

Mr. Carlyle. As I stated a few minutes ago, according to the best information that we have, they are direct descendants of Sir Walter Raleigh's Lost Colony.

Mr. Aspinall. I can understand that they may have some Indian blood to that effect, but surely they have some Indian blood in their veins from other acknowledged tribes of the day.

Mr. Carlyle. I think perhaps I have a member of that race here who would be able to answer that question.

Mr. Aspinall. The next question would be: What benefit would they expect to get from this? Just purely the name "Lumbee Indian Tribe" does not appeal to me to give too much

importance to it, unless they expect to get some recognition later on as members of some authorized tribe, and then come before Congress asking for the benefits that naturally go to recognized tribes.

Mr. Carlyle. No one has ever mentioned to me any interest in that, that they had any interest in becoming a part of a reservation or asking the Federal Government for anything. Their purpose in this legislation is to have a name that they think is appropriate to their group. I do not know that they refer to themselves as a tribe. They are citizens who belong to the Indian race and they were interested in having a name that would have, they think, some significance.

Mr. Aspinall. The difficulty there is this: Some of them may have some Cherokee blood in their veins. They surely would not want to get rid of their relationship to the famous tribe of Cherokees in order to become members of another tribe, any more than I might go back and pick up my mongrel ancestry and disclaim some of it for something else, which does not mean anything except maybe the place where I come from.

Mr. Carlyle. Well, I just do not know of any particular tribe of Indians in this country that they claim to be associated with. Now, I may be in error there. I do have a member of that race here who could answer that question, I feel sure.

There is a good bit of merit in your suggestion that it does not make much difference what you call a person or what the name might be, but this is their idea and they are well organized and they have requested it.

Mr. Aspinall. Of course, I want it to be shown on this record that I appreciate the fact that our colleague appears here on behalf of the people of his district. I think it is fine of him to do so.

Mr. Carlyle. They are a proud people, and justly so. As to any ulterior motive that might be suggested -- thatis, that they would come inand ask for benefits now or later -- that is not in this picture at all.

Mr. Aspinall. Thank you, Mr. Chairman.

Mr. Haley. Does the gentleman from South Dakota have any questions?

Mr. Berry. No questions.

Mr. Haley. We thank our colleague very much.

Mr. Carlyle. Thank you very much.

Mr. Haley. We are glad to have you with us.

I might say that we agreed to hear these witnesses, because we understand they do want to get back to North Carolina. I would not blame them for that very much. I should like to be down there in the hills myself, where it is a little cooler.

Mr. Carlyle. You will receive a hearty welcome there.

Mr. Haley. Our next witness will be Reverend D. F. Lowery.

Mr. Carlyle. Your name is Reverend D. F. Lowery?

(Note for Committee Clerk:

The witness list contains the name "Rev.D.F. Lowry", but the bill under consideration, on the first page, lists family names including "Lowery". Thus the witness is carried in this transcript as "Reverend Lowery". If this spelling is not correct, please make a note for the printer to change before print.)

STATEMENT OF REVEREND D. F. LOWERY OF PEMBROKE, NORTH CAROLINA.

Reverend Lowery. Yes, sir.

Mr. Carlyle. Reverend, in order to get a little background, how old are you?

Reverend Lowery. Seventy-four.

Mr. Carlyle. Are you married?

Reverend Lowery. Yes, sir.

Mr. Carlyle. I believe you told me, while in conversation some time ago, that you had five boys and five girls?

Reverend Lowery. Four each.

Mr. Carlyle. Four each. All of them are college graduates?

Reverend Lowery. Yes, sir.

Mr. Carlyle. And you and your wife are?

Reverend Lowery. Yes, sir.

Mr. Carlyle. You live at Pembroke?

Reverend Lowery. Yes, sir.

Mr. Carlyle. That is where the North Carolina State Indian College is located?

Reverend Lowery. Yes, sir; Pembroke State College.

Mr. Carlyle. Have you made some study of your race?

Reverend Lowery. I have.

Mr. Carlyle. You have heard the question asked a few minutes ago, as to the Indians of Robeson County, as to

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where they came from?

Reverend Lowery. Yes, sir.

Mr. Carlyle. I wish you would go ahead and take that matter up and tell the Members of the Committee about it.

Mr. Haley. We would be glad to hear from you, Reverend Lowery. Just go ahead and make any statement you would like to make at this time.

Reverend Lowery. Mr. Chairman, we have by both history and tradition the fact that White's Colony landed at Roanoke in 1587. On account of the storm there they moved out into the interior. Later on they were discovered by Smith and Stancey in 1607, out in the interior of the country, showing that they were moving farther and farther away from the Coast. John Ledire discovered them in 1670 on the Neuse River.

Then a missionary came by the name of John Blair and he was with them on the Cape Fear in 1703. I have a letter or a copy of a letter he wrote back about his work among the Indians. These Indians could speak English and they were practicing the arts and crafts of European civilization.

They moved on down in Robeson County, what is now Robeson County, and settled along the banks of the Lumbee River. For years they worked in cooperation with the white people.

In the war, the Revolutionary War in 1775, you will

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find on the Pension File No. 8732 in the books at Raleigh the names of soldiers who belonged to this tribe of Indians; by the names of John Brooks, James Brooks, Barry Hunt, Thomas Jacobs, Michael Rivers, Richard Bell, Samuel Bell, Primus Jacobs, Thomas Cummings, William Lowery -- William Lowery served in the Revolutionary War and received a pension as long as he lived for his service. You will find on the records where John Brooks was given 160 acres of bounty land for his service in the Revolutionary War.

Then coming up to the War of 1812 if you look at the records in the State Library, the muster roll of troops, 1812, Robeson County, you will find the names of other soldiers who fought in 1812; Charles Oxendine, Thomas Locklear, John Drinkwater, a full-blooded Indian who moved away later, Huey Locklear, William Bullard, Elias Bullard, Richard Bullard, Stephen Cumbo and others found on the muster roll, where they fought as white soldiers in the War of 1812.

Mr. Carlyle. Now let me direct your attention to this subject: What is the main purpose that the Indians of Robeson County have in asking that their names be designated as Lumbee Indians of North Carolina?

Reverend Lowery. Since the Indians of Robeson County are mixed, an admixture of seven different tribes of Indians, including the Cherokee, Tuscarora, Hatteras, Pamli

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and Croatan -- about seven different tribes were mixed with them and intermarried with the first colonies.

Among these Indians were found 42 names on the roster of White's Colony sent over by Walter Raleigh. They were killed.

Later on the Cherokee Indians, the Cherokee Indians in the West, resented that. They introduced a bill at Raleigh to name us "Cherokee Indians of North Carolina" and the senator from Cherokee County wired up there and they sent a delegation down there to object to it. Then they had to change the bill and designate us as "Cherokee Indians of Robeson County" so when our boys go off to college, prior to this, they would say to them,

"What nationality are you?"

"I am an Indian."

"Where are you from? What tribe are you from?"

"Cherokee."

"I have a cousin teaching at the Government School up there, Mary Butler. How do you like her?"

"I never heard of her."

"How do you like the president of the school?"

"Never heard of him."

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"You said you were a Cherokee Indian."

"Yes, but I am not from up there. I am from Robeson County."

"Oh, I didn't know there was any Cherokee Indian in Robeson County."

So that boy or girl was embarrassed. We go off to the various states and are embarrassed. While we were Cherokee Indians, after we told them we were Cherokees and then they told them about the teachers and the school, and they did not know anything about them, they did not believe anything they said.

If we get the name "Lumbee" we can go to any school in the United States and tell them we are Lumbee Indians. We can pick up the Act of the Legislature and pick up the bill and read that the Lumbee Indians are descendants of the seven tribes of Indians that settled on the Lumbee River, and are Lumbee Indians just like the Hatteras and Mississippi Indians. Then they would have no trouble telling the people,

"We are Lumbee Indians."

They could look us up and find we are in the law, in the books at Raleigh, and therefore we are honest in their sight.

That is No. 1.

Mr. Haley. Thank you, sir. Does that complete your

statement?

Mr. Carlyle. That completes it.

Mr. Haley. Does the gentleman from Colorado have any questions?

Mr. Aspinall. How many of your Indians who wish to come under this designation are there?

Reverend Lowery. We had a referendum, Your Honors please. We had a referendum put on by the county commissioners. Here is a statement from the attorney of the county commissioners: The 1951 General Assembly Resolution No. 38, Section 2, Sheet 4 of referendum for an election says,

> "At such election the choice of a name for the Indians of Robeson and adjoining counties shall be determined by the greatest number of votes cast in favor of a particular name or designation, and upon such choice being determined the name shall be certified by the Board of County Commissioners of Robeson County to the 1953 General Assembly of North Carolina for its consideration and action. The election was held under rules and regulations unanimously adopted by the Board of County Commissioners of Robeson County, and the results were 2,169 votes for Lumbee

Indians of North Carolina', 35 votes to remain 'Cherokee Indians of Robeson County.'"

Mr. Aspinall. Do you think that all of those who were entitled to vote voted?

Reverend Lowery. No. They never do that. But we had as big a vote as we had when we elected the president, or the governor.

Mr. Aspinall. I do not know just how that would be in your area. At different times in my area it might be one thing, and at other times it might be something else.

Reverend Lowery. I have the rules of the election, if you would like to see a copy of that, which was carried on, and it said every person would have a right to vote.

Mr. Aspinall. Do you have any tribal organization?

Reverend Lowery. Yes, sir; we have the Lumbee Brotherhood, with 4,000 members. This was organized, you know, along with this move.

Mr. Aspinall. Do you own any communal property?

Reverend Lowery. I did not understand?

Mr. Aspinall. Do you own any communal property? Is there any property held in common among the Indians, or do you have individual ownership?

Reverend Lowery. No, sir. The members own land, but this is just a cooperative move, a brotherhood.

Mr. Aspinall. Do you desire or do you think that an

members of your organization would desire to have a reservation?

Reverend Lowery. No, sir; not that I know of. If there is, it is a man that has not got any land, and he does not want to work for anything, and he thinks the Government might give him a little.

Mr. Aspinall. Do you or any members of your organization anticipate that after you might receive this designation you would come to Congress and ask for any of the benefits that otherwise go to Indian Tribes?

Reverend Lowery. No, sir. We would leave the county before we would come under a reservation or anything like wards of the Government. We are citizens and always have been citizens. We would leave before we would come on the reservation.

Mr. Aspinall. Do you have a group in Robeson County known as the Croatan Indians? Is that correct?

Reverend Lowery. Yes, sir; Croatan, C-r-o-a-t-a-n.

Mr. Aspinall. Croatan.

Reverend Lowery. They were all originally called Croatan by representation of the Honorable Hamilton Millan (?) because White's Colony landed on Croatan Sound. They never could find what happened to them. It was Wemaniwo (?) and Huarchez (?), those two Indians, that went back with Walter Raleigh and were friends, and they mixed

with the friendly Indians. They were called Croatans, because they came from Croatan Sound. That was not an appropriate name for the colony.

Mr. Carlyle. Let me add one thought in answer to your question.

The subject of a reservation does not meet with the approval of the Indians of Robeson County at all?

Reverend Lowery. No, sir.

Mr. Carlyle. They are land owners, large farmers, and they are engaged in the mercantile business extensively. They are good businessmen. They are not interested in a handout.

Mr. Aspinall. How many of them at the present time are on the Public Welfare rolls?

Mr. Carlyle. I would not know that, but I would say no larger a percentage than you would find among the other races.

Mr. Aspinall. You mean no more than you would find among the non-Indians?

Mr. Carlyle. That is right. I would say that those who are on the welfare rolls would not exceed the number, percentagewise, you would find among the Negroes and the white race.

Reverend Lowery. We are all working Indians. I am a retired rural letter carrier. I drove the mail for thirty

years. I am a retired minister. I preached for forty years before I retired at the age of seventy-two. So we work.

Mr. Aspinall. I must say this, in closing my remarks: If I look as young as you do at seventy-four I will think I am very favored indeed.

Mr. Haley. Does the gentleman from South Dakota have any questions?

Mr. Berry. No questions, thank you.

Mr. Haley. The gentleman from California?

Mr. Sisk. No questions.

Mr. Haley. The gentleman from Oklahoma?

Mr. Edmondson. No questions.

Mr. Haley. Thank you very much.

Mr. Carlyle. Thank you very much, Mr. Chairman and gentlemen.

Reverend Lowery. Thank you.

Mr. Haley. We have next Mr. Harry Locklear.

Mr. Carlyle. I think anything else we might introduce would be a duplication. I have talked to these gentlemen in my office this morning. I really do not think that they know any more about the subject than you have already heard. We do not care to trespass upon your time.

Mr. Haley. Thank you very much.

Mr. Aspinall. Mr. Carlyle, is Mr. Locklear in the

room?

Mr. Carlyle. Yes, they are both here, sir.

Mr. Aspinall. Let the record show that Mr. Locklear did appear.

Mr. Carlyle. If he cares to make a statement he may do it.

STATEMENT OF HARRY LOCKLEAR

Mr. Harry Locklear. There is not anything that I could add to what he has said. I am a businessman and have been in the mercantile business for fourteen years. There is nothing I can add to what he has said.

Mr. Haley. You approve or generally approve of the statement made by the Reverend?

Mr. Harry Locklear. Yes, sir.

Reverend Lowery. We have two here. The other Mr. Locklear is also here.

Mr. Haley. Would you identify yourself for the record, please, sir.

Mr. Hayes Locklear. Yes, sir; Hayes Locklear.

Mr. Carlyle. I think that is all, Mr. Chairman.

Mr. Haley. We thank our colleague very much.

Reverend Lowery. They are relatives of Jacob Locklear, who fought at Utah Springs under General Barnwell.

Mr. Carlyle. There is nothing selfish about this legislation; it is just their wish to be identified.

Mr. Haley. We will go back to the regular order at this time. We heard these two witnesses because of the fact that they had come here and wanted to get back to North Carolina.

(Thereupon, at 10:43 a.m., Friday, July 22, 1955, the Subcommittee proceeded to other business.)

UNITED STATES OF AMERICA

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NATIONAL FARM-CITY WEEK

The Clerk called the resolution (H. J. Res. 317) designating the last week in October of each year as National Farm-City Week.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

INCREASING CERTAIN PATENT AND TRADEMARK FEES

The Clerk called the bill (H. R. 7416) to fix the fees payable to the Patent Office and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PRESTON. Mr. Speaker, I object.

Mr. BROOKS of Texas. I object.

LUMBEE INDIANS OF NORTH CAROLINA

The Clerk called the bill (H. R. 4656) relating to the Lumbee Indians of North Carolina.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I should like to ask the author of the bill, the gentleman from North Carolina, whether or not this bill, if enacted, would in any way whatsoever commit the Federal Government in the future to the furnishing of services or monetary sums?

Mr. CARLYLE. Mr. Speaker, I am happy to say that the bill does not provide for that nor is it expected that it will cost the Government one penny.

Mr. FORD. There is no obligation involved, as far as the Federal Government is concerned, if this proposed legislation is approved?

Mr. CARLYLE. None whatsoever.

Mr. FORD. It simply provides for the change of the name?

Mr. CARLYLE. That is all.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Whereas many Indians now living in Robeson and adjoining counties are descendants of that once large and prosperous tribe which occupied the lands along the Lumbee River at the time of the earliest white settlement in that section; and

Whereas at the time of their first contacts with the colonists, these Indians were a well-established and distinctive people living in European-type houses in settled towns and communities, owning slaves and livestock, tilling the soil, and practicing many of the arts and crafts of European civilization; and

Whereas by reason of tribal legend, coupled with a distinctive appearance and manner of speech and the frequent recurrence among them of family names such as Oxendine, Locklear, Chavis, Drinkwater, Bullard, Lowery, Sampson, and others, also found on the roster of the earliest English settlements these Indians may, with considerable show of reason, trace their origin to an admixture of colonial blood with certain coastal tribes of Indians; and

Whereas these people are naturally and understandably proud of their heritage, and desirous of establishing their social status and preserving their racial history: Now, therefore,

Be it enacted, etc., That the Indians now residing in Robeson and adjoining counties of North Carolina, originally found by the first white settlers on the Lumbee River in Robeson County, and claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina, shall, from and after the ratification of this act, be known and designated as Lumbee Indians of North Carolina and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of North Carolina and of the United States as they enjoyed before the enactment of this act, and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of North Carolina and the United States.

SEC. 2. All laws and parts of laws in conflict with this act are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING JURISDICTION UPON UNITED STATES DISTRICT COURTS TO ADJUDICATE CERTAIN CLAIMS

The Clerk called the bill (H. R. 5862) to confer jurisdiction upon United States district courts to adjudicate certain claims of Federal employees for the recovery of fees, salaries, or compensation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill whether or not this proposed legislation is specifically limited to the small number of individuals and the several cases which are set forth?

Mr. WATTS. Yes, sir. I would say to the gentlemen from Michigan that it only covers those cases that have been filed prior to October 31, 1951.

Mr. FORD. Mr. Speaker, bearing in mind that explanation, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any lapse of time or statute of limitations, and notwithstanding section 1346 (d) (2) of title 28, United States Code, the United States district courts shall have jurisdiction of all civil actions or claims to recover fees, salary, or compensation for official services of employees of the United States which were filed prior to October 31, 1951, and were thereafter dismissed for want of jurisdiction as a result of the amendment made to such section by section 50 (b) of the act entitled "An act to amend certain titles of the United States Code, and for other purposes," approved October 31, 1951.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UTILIZATION OF PRIVATELY OWNED SHIPPING IN CONNECTION WITH TRANSPORTATION OF PRIVATELY OWED VEHICLES

The Clerk called the bill (S. 2286) to amend the Merchant Marine Act of 1936 so as to provide for the utilization of privately owned shipping services in connection with the transportation of privately owned motor vehicles of certain personnel of the Department of Defense.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BONNER. Mr. Speaker, reserving the right to object, I do so in order to place in the RECORD an explanation of the bill and the reports on the bill.

So far as I am aware, there is no controversy with respect to the provisions of this bill. It is designed to remove a restriction in the law which probably was never meant to have the effect which it has had. Under existing law, Armed Services personnel are authorized to have their privately owned vehicles transported overseas at Government expense. But the law provides that such shipments are to be made on Government-owned vessels. The simple purpose of this bill would be to permit such shipments to be made on privately owned American-flag vessels.

The legislation was recommended by the Hoover Commission and also by the Department of Defense, and I am advised that the Bureau of the Budget knows of no objection whatever to the provisions of the bill.

However, I must advise this body that the Department of Defense has indicated to me, through Adm. Francis C. Denebrink, commander, Military Sea Transportation Service, an objection to the language of both House Report 1686 and to Senate Report 1163, which have been filed in connection with this bill. As expressed to me, Admiral Denebrink fears that he will be subject to pressure by force of the language in these committee reports to reduce the nucleus fleet presently operated by MSTS. This, he advises me informally, will not be the result of the enactment of this legislation.

I do not believe it appropriate at this time for me to pass judgment upon the merits of the position taken by the Department of Defense. I do, however, in all fairness, wish to have included at this time a statement which they have given to me indicating their position in connection with this legislation. The statement follows:

1. In both Senate Report No. 1163 (Committee on Interstate and Foreign Commerce) and House Report No. 1686 (Committee on Merchant Marine and Fisheries) the assumption is made that passage of S. 2286 would make possible the reduction in the size of the Government (MSTS) nucleus fleet.

2. To remove the possibility of misunderstandings, it should be reiterated, on behalf of the Department of Defense, that the size and composition of the MSTS nucleus fleet is established and adjusted, in response to the determinations of the Joint Chiefs of Staff, to provide (a) immediate capability in an emergency, (b) shipping capability for

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1956

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LEGISLATIVE HISTORY

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84th Cong.--2nd Sessn. 1956 Vol. 2

LUMBEE INDIANS OF NORTH CAROLINA

For text of Act see p. 307

Senate Report No. 2012, May 16, 1956 [To accompany H.R. 4656]

House Report No. 1654, Jan. 18, 1956 [To accompany H.R. 4656]

The Senate Report is set out.

Senate Report No. 2012

THE Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 4656) relating to the Lumbee Indians of North Carolina, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

EXPLANATION OF THE BILL

If enacted, H.R. 4656 would permit about 4,000 Indians of mixed blood presently residing in Robeson and adjoining counties in North Carolina to become known and designated as the Lumbee Indians of North Carolina. For the most part, the individuals affected are farmers and businessmen and are residing along the Lumbee River. They stem from early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina.

Under this act, the affected persons would continue to enjoy all the rights, privileges, and immunities they presently have as citizens of the State of North Carolina and the United States. Likewise, as Lumbee Indians, they would continue to be subject to the same obligations and duties to the State of North Carolina and to the United States as they are at present. The committee has amended the bill to clearly indicate that the Lumbee Indians will not be eligible for any services provided through the Bureau of Indian Affairs to other Indians.

In 1951, by a margin of 2,169 to 35, the Robeson County Indians concerned voted to adopt the name of Lumbee Indians of North Carolina in preference to Cherokee Indians of Robeson County.

On April 20, 1953, a bill similar to H.R. 4656 passed the General Assembly of North Carolina.

The unfavorable report of the Department of the Interior dated August 3, 1955, is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., August 3, 1955.

Hon. CLAIR ENGLE,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D. C.

MY DEAR MR. ENGLE: Your committee has requested a report on H.R. 4656, a bill relating to the Lumbee Indians of North Carolina.

We recommend that the bill be not enacted.

The group of Indians who reside in Robeson and adjoining counties in North Carolina are not a segment of either the Eastern Band of Cherokee Indians of North Carolina or the Cherokee Nation of Oklahoma. The State of North Carolina in 1885 recognized the group as

Croatan Indians. In 1911 the word "Croatan" was dropped and the designation "Indians of Robeson County" was adopted by State law. Two years later the same people were designated "Cherokee Indians of Robeson County," with this limitation: "Neither this act nor any other act relating to the said 'Cherokee Indians of Robeson County' shall be construed so as to impose on said Indians any powers, privileges, rights, or immunities, or any limitations on their power to contract, heretofore enacted with reference the Eastern Band of Cherokee Indians" (North Carolina Laws of 1913, ch. 123, sec. 5).

The United States has entered into no treaty or agreement with the Indians of Robeson and adjoining counties, and it has recognized no obligation to furnish to them services that are furnished to the citizens of this country who are recognized by the Congress as Indians. We are therefore unable to recommend that the Congress take any action which might ultimately result in the imposition of additional obligations on the Federal Government or in placing additional persons of Indian blood under the jurisdiction of this Department.

The persons who constitute this group of Indians have been recognized and designated as Indians by the State legislature. If they are not completely satisfied with such recognition, they, as citizens of the State, may petition the legislature to amend or otherwise to change that recognition. Except for the possibility of becoming entitled to Federal services as Indians, the position of this group of Indians would not be enhanced by enactment of this bill. In fact, as the bill refers to them in terms that are different from the terms of recognition accorded under State law, some confusion as to their status might result from its enactment.

If your committee should recommend the enactment of the bill, it should be amended to indicate clearly that it does not make these persons eligible for services provided through the Bureau of Indian Affairs to other Indians.

The Bureau of the Budget has advised us that there is no objection to the submission of this report.

Sincerely yours,

ORME LEWIS,
Assistant Secretary of the Interior.

The Committee on Interior and Insular Affairs recommends favorable enactment of H.R. 4656.

MILITARY PERSONNEL CLAIMS—MAXIMUM LIMITATION

For text of Act see p. 308

Senate Report No. 1598, Feb. 27, 1956 [To accompany H.R. 3996]

House Report No. 290, Mar. 22, 1955 [To accompany H.R. 3996]

Conference Report No. 2216, May 28, 1956 [To accompany H.R. 3996]

The Senate Report and the Conference Report are set out.

Senate Report No. 1598

THE Committee on the Judiciary, to which was referred the bill (H.R. 3996) to further amend the Military Personnel Claims Act of 1945, having considered the same, reports favorably thereon, with an amendment, and recommends that the bill, as amended, do pass.

REPRODUCED AT THE NATIONAL ARCHIVES

IN THE UNITED STATES COURT OF CLAIMS

No. 29-73

Lawson Brooks, and The Tuscarora Indian's et al.	)	NOTICE
	)	Reference to Commissioner
v.	)	February 9, 1973
The United States	)	

FILED
FEB 9 1973
COURT OF CLAIMS

This case has been referred to:

Commissioner H. D. Cooper

for the conduct of proceedings pursuant to the rules. For the authority of the commissioner under the order of reference, see Rules 12-14 and the other rules referred to therein. Note specifically that the filing of a dispositive motion, other than a motion for summary judgment under Rule 163(b), will suspend the reference but will not terminate it. Dispositive motions are defined in Rule 52(a).

If and when issue is joined (as by the filing of an answer or a reply to a counterclaim, offset, or plea of fraud, but not upon the filing of a dispositive motion), the commissioner will advise the parties of the steps to be taken by them prior to the issuance by him of orders for pretrial proceedings.

Careful consideration and observance by counsel of the rules of the court and the orders of the commissioner applicable to the various steps required for the preparation of the case for pretrial and trial will enable the commissioner and the clerk to assist counsel in the expeditious disposition of the case with a minimum of time and expense. As to the duplication, form and size requirements of papers to be filed, see Rules 211-214.

A copy of any communication addressed to the commissioner should be sent to opposing counsel.

Mark V. Peaches

Clerk

ORIGINAL

REPRODUCED AT THE NATIONAL ARCHIVES

IN THE UNITED STATES COURT OF CLAIMS

LAWSON BROOKS, and the TUSCARORA INDIANS, Et al.,	)	
Petitioners,	)	
v.	)	No. 29-73
THE UNITED STATES	)	

DEFENDANT'S MOTION TO DISMISS
FOR LACK OF JURISDICTION

The defendant moves this Court pursuant to Rule 102(b) to dismiss the petition for lack of jurisdiction. The grounds for this motion are set forth in the brief in support hereof.

Respectfully submitted,

KENT FRIZZELL
Assistant Attorney General

JOHN H. GERMERAAD
Attorney, Department of Justice
Attorneys for Defendant

By: John H. Germeraad
Attorney

FILED
MAR 7 1973
COURT OF CLAIMS

REPRODUCED AT THE NATIONAL ARCHIVES

IN THE UNITED STATES COURT OF CLAIMS

LAWSON BROOKS, and the TUSCARORA INDIANS, et al.,	)	
Petitioners,	)	
v.	)	No. 29-73
THE UNITED STATES,	)	
Defendant.	)	

DEFENDANT'S BRIEF IN SUPPORT
OF MOTION TO DISMISS
FOR LACK OF JURISDICTION

Statement

This action is brought pro se by a number of individuals and "The Tuscarora Indians." The principal relief sought appears to be that the State legislature has designated these people as Lumbee Indians whereas they claim to be Tuscarora Indians. It is not clear whether the petitioners seek relief from some action of the State legislature or from the Lumbee Act of June 7, 1956, 70 Stat. 254, or both. We will give the petitioners the benefit of the doubt and treat prayer one as a request for relief from the Federal

REPRODUCED AT THE NATIONAL ARCHIVES

Lumbee Act and prayer three as a request for relief from some state action. Prayer two appears to be a request for a declaratory judgment that the petitioners are ethnologically Tuscarora Indians and prayer four asks that the Secretary of the Interior be directed to conduct an investigation into the complaints of the petitioners.

The defendant has moved to dismiss the petition because it does not assert a claim for relief within the jurisdiction of this Court.

Questions Presented

I. Whether this Court lacks jurisdiction over this action because:

(a) As to prayers 1, 3, and 4, the Congress, the legislature of the State of North Carolina, and the Secretary of the Interior are the real parties in interest and they are not and cannot be joined as defendants.

REPRODUCED AT THE NATIONAL ARCHIVES

(b) All prayers seek declaratory relief or a writ of mandamus and it is beyond the jurisdiction of this court to grant such relief.

Argument

(1) This Court is without jurisdiction to grant any relief against Congress, the State legislature of North Carolina and the Secretary of the Interior. None of the parties mentioned is a party to this action. None can be made parties since the only proper party defendant in this Court is the United States. 28 U.S.C. §1491. Consequently, this Court does not have jurisdiction to grant the relief sought in prayers 1, 3, and 4.

(2) This Court is without jurisdiction to grant a declaratory judgment or a writ of mandamus. It is established beyond doubt that the jurisdiction of this Court is limited to the granting of money judgment and does not extend to specific relief. United States v. King, 395 U.S. 1, (1969); Glidden Co. v. Zdanok, 370 U.S. 550, 557 (1962). The petitioners do not seek money relief and

hence the Act of August 29, 1972, 86 Stat. 652 has no application.

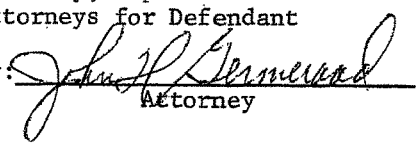
Conclusion

The petition does not state a claim within the jurisdiction of this Court and should be dismissed.

Respectfully submitted,

KENT FRIZZELL
Assistant Attorney General

JOHN H. GERMERAAD
Attorney, Department of Justice
Attorneys for Defendant

By: 
Attorney

ORIGINAL

FILED
JAN 24 1973
COURT OF CLAIMS

IN THE UNITED STATES COURT OF CLAIMS

Lawson Brooks, and The Tuscarora Indian's et. al, -V- United States of America Defendant.	NO. 29-73 Notice of Motion and Motion For Leave To File Petition To Repeal The "Lumbee" Act (Bill) of 1953 and 1956, In Forma Pauperis Pursuant 28 U.S.C.A. & 1915, and Rules 11 (a), (c), (d), 20 of The Rules of The Court of Claims.

To: The Honorable Chief Judge and Associate Judges of the above entited Court:

Greetings:

Comes now Lawson Brooks, et al and the Tuscarora Indian(s) Community of Robeson County, North Carolina, who most Respectfully Request permission of this Honorable Court, to allow the filing of this action pursuant to Title 28 U.S.C. & 1915, without prepayment of all costs.

I

Jurisdiction

Jurisdiction of this cause of action is conferred on the Court, pursuant to the Act(s) of Congress, (48 STAT. 984, 986, 25 U.S.C. & 476, and Points and Authorities in Support thereof, herein after set forth morefully.

II

Questions Presented

Plaintiffs' and all others similararily situated in Robeson County and the other adjoining Counties of Cumberland, Hoke, Scotland, here with submit that the "Lumbee Bill" heretofore authored by one D.F. Lowry,

and the Late Attorney _ _ Carlyle-Esq. who introducted the legislation herein which is the Constitutional questions challenged.

(a) "Whether, two individuals can compose and introduce to the State a Bill designating and/or otherwise classifying other persons within the State to be what they may choose to name them, without either these persons (plaintiff) consent nor without legal or lawful definition;or

(b) "Whether, the actions by the defendant's can be sustained under the Fourteenth Amendment to the Constitution of the United States, and the Acts of Congress who has the sole plenary power over Indians and their affairs; or,

(c) "Whether, the enactment of the Lumbee Bill and/or Act can be sustained when such a Bill/Act has not been fully adopted verbatim by the Congress of the United States, or

(d) "Whether, the actions of the defendant D.F. Lowry, who has recently published his definition of a "Lumbee Indian", in the local paper and at the same time declared himself to be one half Tuscarora and one half Cherokee Indian, and thus contradicts his Legislative Act so as to deny and Disparage To The Plaintiffs' and all others similarily situated their true Identity as Tuscarora Indians; or

(e) "Whether, The Lumbee Bill can be sustained under the Fourteenth Amendments' Due Process of Law; and 'Equal Protection of the Laws" clauses, especially when such actions as undertaken by the defendants' were acts by two educated persons against totally unlearned people;

III

Statement of Facts

On/or about The___ day of ___ 1953, D. F. Lowry and ___ Carlyle, an Attorney at Law, composed or other wise wrote the now infamous "Lumbee Bill" To The State of North Carolina, Legislature, who after short deliberation enacted this unlawful Legislation, when this body politic,

knew in fact that there was not nor never has been an American Indian Tribe, Known as Lumbee Indians, nor are there any Historical Facts that sustain the defendant's contentions for such Tripe.

On/or about June8, 1956 This Lumbee Bill was acted upon by Congress Assembled, however, not in the same form (verbatim) as that now in the annuls of The Journal of The Legislature of North Carolina at Raleigh, N. C. which has also been publicly announced by D. F. Lowry, in his press statement (attached) hereto as a part hereof to illustrate The Contradiction in Terms here in challenged.

IV

Memorandum of Points
And Authorities In Support
Of This Petition
Argument

Plaintiffs' et al and all other Tuscarora Indians similarily situated thus submit and vigorously argue that this Lumbee Bill is not only Unconstitutional but an usurpation of the plenary powers granted to Congress by Art. I, Sec. 8, of the Constitution of the United States.

Thus it is further argued that this Court has long ago decided and delivered it's opinion on similar actions regarding controversial questions regarding Tribes, Bands, and groups of Indians, here in theinstant matter and question raised, parelell those decided in Tulley -V- United States, 32 Ct. Cls. 1 (1896); which is to the point and indicates that where the Indians themselves have treated a group as a band separat from or subordinate to a given tribe, the Courts will accept the subdivisions so recognized.

It is further vigorously argued and sustained by the opinions of this Honorable Court, to the ends sought herein as has other governmental agencies, where it has been held, viz. "The policy of the United States, in dealing with the Indians has been, as we understand, to accept the subdivisions, of the Indians into such Tribes or Bands as The Indians themselves adopted, and to treat with them accordingly. So that if such subdivisions, whether into tribes or bands, have not been re-

1. cognized by treaty, but have been by the officers of the Government whose
2. duty it was to report in respect thereto, then the Court will accept that
3. as sufficient recognition of the tribe or band upon which to predicate a
4. judgment. Or if there be no recognition by the Government, then the
5. Court will accept the subdivisions into such tribes and bands be named by
6. reason of their geographical Location or otherwise.(pp. 7 &8). See also
7. for an example of the consideration given to the foregoing elements of
8. tribal existence. Memo. Sol. I.D. Feb. 8, 1937 (Mole Lake and St. Croix
9. Chippewa). This also seems to be given considerable weight by this
10. Court, in McKee -V- United States and Comanche Indians, 33 Ct. Cls. 99,
11. 104 (1897).
12. Thus it can be further argued that pursuant to the I.R.A. of June
13. 18, 1934 (48 STAT. 984, 986, 25 U.S.C. & 476; which places certain re-
14. strictions as to 'Reservations' only, however, a showing that the group
15. seeking to organize is entitled to be considered as a tribe, within the
16. meaning of the Act, is deemed to be a prerequisite to the holding of a
17. referendum on a proposed tribal Constitution, and the basis for such a
18. holding is regularly set forth in the Letter from the Commissioner of
19. Indians Affairs to the Secretary of the Interior Dept. as to the tribal
20. status of the group seeking to Organize. The considerations which, sing-
21. ly or jointly, have been particularly relied upon in reaching the con-
22. clusion that a group constitutes a "tribe" or "band" have been: Only
23. three of these requisites have been met by the plaintiffs' which constit-
24. utes a majority of the 5 ennunciated in the Act: viz.
25. (2) "That the group has been denominated a Tribe by act of Congress
26. or Executive Order;
27. (4) "That the group has been treated as a tribe or band by other
28. Indian Tribes.
29. (5) "That the group has exercised political authority over it's
30. members, through a Tribal Council or other governmental forms".
31. Here, plaintiffs' et al and all those similarily situated respect-
32. fully and vigorously argue that prior to the filing of this action, the
foregoing (3) three requisites were met (see: Exhibits marked for ident-
ification thereto); furthermore, it is well-established that Ethnological
and historical considerations, although not conclusive, are entitled to

great weight in determining the question of tribal existence-viz: (Fed. Power Commission-V- Tuscarora Indian Nation, 362 U.S. 99 (1960); and correspondence from the Assistant Commissioner of Indian Affairs, Wm. Zimmerman, Jr. dated Dec. 12, 1938, when plaintiffs' herein were officially Recognized by the Dept. of Interior, Office of Indian Affairs, Washington, D.C. (Ind.-Org. 71526-38).

Thus, it can now be reasonably argued that in the instant case that the plaintiffs' have been and are recognized today as Tuscarora Indians and not Lumbee Indians, as herein demonstrated, supra.

Thus, the plaintiffs' further argue and submit as to their tribal existence and/or the legal status of Indian Tribes, the question of tribal existence, in the legal or political sense, has generally arisen in determining whether some Legislative, administrative, or judicial power with respect to Indian "tribes" extended to a particular group of Indians. The most basic of these issues has been the Constitutional issue arising from the grant of power to Congress to Regulate"Commerce with - - - the Indian tribes." The Supreme Court has, in a number of cases, taken the position that the applicability or constitutionality of State Legislation affecting such individuals, depended upon whether or not the Individuals concerned were living in tribal relations.

Plaintiffs' et al can most vigorously argue that in the instant case, that they do now and always have lived in tribal existence and just a cursory examination of the 209 members who submitted their blood-findings to the proper Governmental Authorities in 1938, of which only(22) Twenty-Two, were recognized it must be argued that the names thus submitted have been officially recognized and further support both Judicially, administratively and ethnologically have been established without Question.

To establish the foregoing and charify this contention and/or argument the plaintiffs' here with submit the following pertinent facts.

(1) D.F. Lowry (Author of the Lumbee Bill) Admits he himself is a (Tuscarora/Cherokee) not as his Bill States a "Lumbee" Indian;

(2) Commissioner of Indian Affairs Accepted and designated (22) of 209 persons as Tuscarora Indians on 12-12-38;

(3) Indian Tribes from across The United States, Recognize and accept the Robeson County Indians as Tuscarora Indians;

(4) U. S. Supreme Court, recognizes Tuscarora Indian Nation as late as (1960);

Plaintiffs' therefore argue and submit that the failure of the Court, to also recognize the Plaintiffs' as Tuscarora Indians, when they have a recognized Organization which is 'Tribally' controlled and recognized E. C. I. O. would be contrary to it's own findings as well as the Constition of the United States, Art. I, sec. 8 and the Fourteenth Amendment (Amend-14), which forbids any and forms of Discrimination, since The Supreme Court, has officially and irrevocably recognized The Tuscarora Indian Nation. 362 U..S. 1 (1960)

V

Conclusion

Plaintiffs' et al and all others similarily situated Pray that this Court will;

(1) Grant an Order directed to Congress Assembled to Repeal The Illegal and Unconstitutional Lumbee Bill, and;

(2) Grant an Order Declaring The Indians of The Eastern Carolina Indian Organization to be Ethnologically Tuscarora Indians by virtue of their true Ancestry, and

(3) Grant an order directed to The State Legislature of North Carolina to repeal its version of The Lumbee Bill and remove any and Traces, Signs, Advertisements and/or other designations referring to a Non-Existing Tribe of Indians.

(4) Grant an order directed to The Secretar of the Interior to Conduct an Immediate Investigation and Open Hearings regarding the adoption and acceptance of this Contrary Legislation, in accordance to Federal Statue and The Indian Bill of Rights. 90 STAT. 284 (Apr. 11, 1968).

Wherefore, we the undersigned plaintiffs Pray that the Court, will

29-73

1. Grant the Orders Prayed for at the very earliest possible convenience.
2. We the undersigned declare under the penalty of perjury that the
3. foregoing is Correct except as to those matters of which we have no
4. Knowledge believe the same to be true.
5.
6. Respectfully Submitted,
7. /s/ Howard A. Brooks
8. /s/ Gylan Brooks
9. /s/ Rosetta Brooks
10. /s/ Henry Brooks
11. Notary:
12. Subscribed and Sworn to
13. This 28 day of December 1972
14. My Commission expires 6-14-76
15. Frederick R. Cooper N.P.
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IN THE UNITED STATES COURT OF CLAIMS

No. 29-73

LAWSON BROOKS and THE TUSCARORA INDIANS, ET AL.

v.

THE UNITED STATES

Before COWEN, Chief Judge, DAVIS, SKELTON, NICHOLS, KASHIWA, KUNZIG and BENNETT, Judges.

ORDER

This case comes before the court on the defendant's motion to dismiss the petition for lack of jurisdiction. Upon consideration of the motion and briefs of the parties, and without oral argument, it is concluded that the motion should be granted.

The petition was filed pro se by a group of Indians residing in North Carolina who claim to be Tuscarora Indians. The basis for the plaintiffs' complaint in this case is derived from their displeasure at being classified as "Lumbee Indians" as a result of the Lumbee Act passed by the North Carolina State Legislature and by the analogous Lumbee Act of June 7, 1956 (70 Stat. 254) passed by the Congress of the United States. The Federal Act served to designate as Lumbee Indians certain Indian groups who resided along the Lumbee River in Robeson County, North Carolina. Since this group of Indians was supposed to have descended from an admixture of colonial whites and local Indian ancestors, the Act effectively denied this group

REPRODUCED AT THE NATIONAL ARCHIVES

of "Indians" the benefits otherwise accruing to those of Indian descent by saying:

> * * * Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians.

The plaintiffs claim that there is not, and never has been, a tribe known as the Lumbee Tribe. In their prayer for relief, the plaintiffs ask this court to do four things: (1) Issue an order directing Congress to repeal the Lumbee Act; (2) declare this group of Indians to be ethnologically Tuscarora Indians; (3) issue an order directing the North Carolina Legislature to repeal its version of the Lumbee Act; and (4) issue an order directing the Secretary of the Interior to conduct an investigation of the events leading to the passage of the two Lumbee Acts. The suit is a class action brought on behalf of the four petitioners "and all others similarly situated."

While it is clear from the language in the Federal Lumbee Act that these plaintiffs might have considerable reason to be upset and concerned about the effects of such an Act removing them from any possibility of collecting Federal largesse otherwise available to some Indians, it is also clear that they are not seeking money damages from the United States, but are instead asking this court to take action on matters outside its jurisdiction, with powers it does not have, and remedies it cannot grant, and to parties it cannot reach. All four prayers ask for declaratory relief or mandamus relief, both of which

REPRODUCED AT THE NATIONAL ARCHIVES

are outside the court's jurisdiction. United States v. King, 395 U.S. 1 (1962). Glidden Co. v. Zdanok, 370 U.S. 530, 557 (1962). While the court might be in a position to entertain a class action in appropriate circumstances where the relief is confined to a money judgment, it is clear that this is not such a claim. Quinault Allottee Assoc. v. United States, 197 Ct. Cl. 134, 453 F. 2d 1272 (1972).

IT IS THEREFORE ORDERED that defendant's motion to dismiss the petition be and the same is granted and the petition is dismissed.

JUN - 1 1973

BY THE COURT

Chief Judge

"THE 'CROATAN' INDIANS OF ROBESON COUNTY, NORTH CAROLINA"

BY

JAMES E. HENDERSON,
SUPERINTENDENT
CHEROKEE AGENCY

12/11/1923

U. S. DEPARTMENT OF INTERIOR

5—349 c

INDIAN OFFICE

FILES

CAUTION!

Positively no papers to be added to or taken from this file, except by an employee of the Mails and Files Division.

By order of

E. B. MERITT,
Asst. Commissioner.

CHEROKEE SCHOOL

File No. 150

GOVERNMENT PRINTING OFFICE 5—4345

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JAN 21 1924

FILED BY G. R.

Mr. James E. Henderson,

Supt., Cherokee Agency.

My dear Mr. Henderson:

The Office has your letter of December 11, to which you attach a report on the conditions existing among the Croatan Indians of Robeson County, North Carolina.

Inasmuch as these Indians do not appear to have been under the jurisdiction of this Office in the past it is not believed proper to take any action at this time.

Very truly yours,

(Signed) E.B.Meritt
Assistant Commissioner.

1-ML-16

Initialing Copy - For File

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77335-23. DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

Cherokee, N.C., Dec. 11, 1923.

DEC 13 1923 54779 BUREAU OF INDIAN AFFAIRS

The Commissioner of Indian Affairs,

Washington, D.C.

Sir:

In compliance with instructions contained in Office letter of December 8, 1923 I am inclosing herewith a report on the conditions existing among the Croatan Indians of Robeson County, North Carolina.

Your letter of October 15, 1923 authorizing me to make a full investigation of these Indians was not received by me until I had returned from Robeson County where I investigated the Dockery Brooks case for the Office. For this reason the report is not complete and contains data gathered by me while on the Brooks case.

I feel sure, however, of my recommendations with reference to their affairs. There is hope for these people and I believe the state is just beginning to see it.

In view of the very small expense connected with a trip from Cherokee to Robeson County, I would be glad someday to have the privilege of returning there for a further inquiry into their affairs.

It was my plan to make a number of photographs of them for this report and I went so prepared. It rained nearly all the time while I was there thus preventing me from making any pictures.

Very respectfully,

James Henderson

Superintendent.

The Croatan Indians of Robeson County,
North Carolina.

That band of Indians commonly known as the Croatans are to be found mainly in Robeson County, North Carolina and in the margins of the counties adjoining Robeson County. A few are also to be found just across the Robeson County line in South Carolina.

Reference to the map of the state of North Carolina will show that the so called Croatans live in the extreme south eastern part of the state only 80 miles from the Atlantic while the Eastern Cherokees live some 300 miles distant in the extreme western part of the state.

I will refrain from going into the history of this interesting people except to say that they violently resent being called "Croatans" and wish to be called Cherokees. In the early days just after the negroes were freed an unwise attempt was made upon the part of the white citizens to class the negroes and Croatans as one. Schools were provided for the negroes and the Indians were expected to attend the se schools. The Indians refused to attend the negro schools and employed white teachers to teach their children or let them grow up without schooling. One Indian of whom I inquired why they so bitterly disliked to be called Croatans said "Croatan means nigger and is a fighting word with us".

They have steadfastly claimed for years that they were Cherokees and to the end that the matter might be settled the North Carolina Legislature in 1913 passed an act officially designating them as Cherokees and all acts of the Legislature with reference to their affairs referrs to them as the Cherokee Indians of Robeson County.

The number of Croatans in Robeson and adjoining counties is estimated to be from 12,000 to 15,000. Robeson County claims to have 8,000. I understand the number living South Carolina is estimated at 400.

The land holdings of the Croatans are not contiguous but are scattered pretty much all over the county resembling the Indian population in the west where the land was alloted years ago and the whites have moved in.

Reference to the tax books of Robeson County for the year 1922 shows property listed by the Croatans for taxation as follows:

32,068 acres of land valued at	$1,089,503.
Personal property valued at	273,172.
Total of real and personal property	$1,362,675.

The casual observer might hastily decide that the majority of the Croatans are land owners. This, however, is not true. There are thousands of them who are tenants for the white landowners. If they furnish stock, tools etc. they get half of the crops raised. If the landlord furnishes stock, tools, seed, fertilizer, etc. the Indian tenant gets one third of the crops raised.

The land owned by the Indians is in the main very fertile. The Indians own very nearly all of one of the most fertile townships in the county.

The Indian homes as a whole are on a par with those of the rural whites. The old log house has given way to the frame structure. Some are well kept and show signs of prosperity while others are dilapidated and in need of paint.

The chief crops raised is cotton, although corn and wheat grow well. Few cattle are seen and no attempts so far as I was able to tell have been made to provide pastures for cattle.

From what I was able to find out the civil authorities have considerable difficulty in preventing the manufacture and sale of intoxicating liquors among the Indians. The large swamps in that locality provide easy hiding places for those who wish to violate the law in this respect.

During the past two or three years there have been some ten or twelve homicides among the Indians, the chief cause being whiskey. Just before I visited that locality an Indian was shot by an officer of the law who claimed the Indian resisted arrest. On the other hand the Indians claimed that the officer rode by the Indian's house in an automobile and shot him without warning.

One great burden of complaint among them is that it is difficult for an Indian to get justice in the courts,more especially in a case involving trouble between a white man and an Indian. They claim that almost without exception the verdict is in favor of the white man. As to the truth of these assertions I am unable to tell as I was not there during a term of court and was therefore unable to form any opinion from personal observation. The complaint is pretty general among them.

One expression often herd is "We want our rights". On one occasion a delegation composed of representatives from their various townships called upon me and asked if I would not listen to them. Their great burden was as above stated,"We want our rights".I asked them what they considered to be their rights and their reply was that they wanted equal justice in the courts,that they wanted to be allowed to serve on juries,run for office the same as white men and above all to have an official roll made of them whereby the negro imposters among them might be eliminated.

Just here let me say that the position of these people socially in the body politic of the county is to say the least a little difficult. The whites will not associate with the Indians in any way whatsoever except in business.On the other hand the Indians dislike the negro population to the point of bitter hatred. They claim that certain negro imposters have been allwed by the civil authorities to represent themselves as Indians and enter the Indian schools.This is the source of no end of trouble.One old Indian declared outright that he would not send his children to a school where there were negroes in attendance.

There is a common belief among those who have never known these people that they are mainly negro in blood.This is erroneous.There are many to be found among them who to all appearances are full blood Indians. Many of them are very dark from the blood inherited no doubt from the Spanish and Portugese who amalgamated with them many years ago. The Spanish and South Mediterranean blood crops out in their swiftness to kill when angered. Such a thing as a personal combat with the fist is almost unthought of among them.

During my stay among these people I visited two of their churches which compared favorably with those of the whites in the same neighborhood. Not unlike other tribes of Indians they like very much to congregate and their church services and singings afford this opportunity. At one church I attnded a singing convention at which was represented some ten or fifteen choirs composed of several hundred people. They were dressed in a genteel manner and the behavior was excellent there being no signs of whiskey drinking.

The Southern Baptist Convention mantains a missionary for them and the Indians have provided the missionary with a good cottage and 60 acres of land. There are about 20 Baptist and a number of Methodist churches owned by them. The Methodist Episcopal Church is constructing a nice modern church building at Pembroke where most of the Indians live.

The state is now doing more for the Croatans than ever before in the way of providing public schools for them. As stated above they are not allowed to attend schools for the whited in North Carolina. The higher institutions of learning in the state are not open to them.

To the end of the 1922-23 school year the state of North Carolina had spent the following sums for schools for the Croatans:-

34 rural primary and intermediate schools	$57,080.
Salaries of 68 Indian teachers for year	23,488.
Pembroke Normal School Plant,.....	$110,000.
Teachers and employees for Normal Sch. for the year,.....	18,000.

Appropriations had been made for the follwing grammar schools and the same are either completed or are in the course of construction:-

Prospect Grammar School,.....	$12,500.
Piney Grove " "	10,000.
Pembroke, " "	20,000.
Teacherage for one of the above	3,000.

The above does not take into consideration 3 public schools operated in Sampson County.

The records of the Office of the County Superintendent of Education showed the following record for Indian children for the school year 1922-23:-

Number of Indian children of school age,..3,493.
Number of Indian children enrolled,..... 3,194.
Average daily attendance for the year,... 2,015.

It may be seen from the above that there was an average of 1,478 Indian children absent for every school day of the year. I made inquiry as to this of the delegation that came to me and their reply was this number represented the children of those renter Indians who were desperately poor and could not provide clothing for them. They claimed many of them were compelled to stay out to pick cotton. This from my observation I judge to be true.

Just here let me say that the intermediate and grammar schools the state and county are providing for these people compare favorably with the schools for the white children. The county is now providing a rural supervisor for the Indian schools.

I would not be doing justice to the good intentions of the state without giving mention to the Pembroke Normal School more than I have above. The State Legislature in 1921 appropriated $75,000 for a school building for this school. This was insufficient and at the 1923 session $35,000 more was appropriated to complete it. It is a fine comodious building constructed along modern lines and is a credit to the state. In addition to this there is a girls' dormitory, boys' dormitory and dininghall. At present 10 teachers are employed and the enrollment is about 150. Besides the regular academic course the girls are taught cooking and sewing and the boys are taught elementary farming and farm carpentry.

The pupils in this school are not at the present carried beyond the high school course. It is the intention of the state however to put in a normal school course later on. It is from this school that all of the teachers for the rural schools are educated as no white teachers are employed in the rural or grammar schools.

The teachers in the normal school appeared to be well qualified for the work and the class of work being done in the schoolrooms was very good. The teachers in this work are very much better paid than the teachers in the Indian Service are paid for like work.

Comparatively few of the students who attend the normal school board in the school dormitories for the reason that there is not sufficient room in the dormitories and that they claim the can procure board at a cheaper rate in the village. The state furnishes no clothing for the pupils and charges a flat rate of $16 a month for table board. Many of the Indians claim they are unable to pay the board for their children.

The Pembroke Normal School is managed by a board of 15 directors all of whom are Indians who receive their appointments from the state legislature.

Viewing the Croatan situation as a whole, it appeared to me that the state of North Carolina is endeavoring through the improved schools it has provided these people to atone for the mistakes it made in former years in not adequately providing for their school needs. It is evident that a better feeling is growing between the two races and if no mistakes are made on the part of either the racial prejudice will after awhile be largely eliminated. A large faction of the Indians who appeared to be the most progressive are working hand in hand with the county and state authorities in endeavoring to make the present school system effective.

On the other hand there is a large faction of the apparently intelligent well meaning among them who are dissatisfied with existing conditions who think the general government is the remedy for all of their social and economic ills.

In conclusion, I would recommend the following:-

1. That the state of North Carolina be asked to revise its 1884 roll of the Croatan Indians. It is certain that sufficient care was not used in the making of this roll and that certain persons having a dominating degree of negro blood were included in that roll.

2. That graduates of the Pembroke Normal School who wish to prepare themselves for teaching among their people and who are undisputed Indians be given the privilege of attending the Normal Training Department of Haskell

Institute, Lawrence, Kansas until such time as the state of North Carolina feels justified in putting in a normal training course in the Pembroke Normal School. This is very important for the reason, as stated above, all the Indiam public and grammar schools throughout the county are taught by Indians. Their education is limited and the teaching must necessarily be inferior.

3. That a more thorough investigation be made of the allegation that many Indians are unable to send their children to the district schools and to the Pembroke Normal School on account of a lack of funds and that if this be true a fund be provided by act of Congress to pay the board in the Pembroke Normal School of those pupils who have graduated in the 6th, grade of the district schools.

4. That the Department of Justice be requested to fully investigate the allegations that Indians do not get justice in the state courts. (Especially that an agent of the Department of Justice be detailed to attend some important trials in the state courts of Robeson County where issues are involved between the whites and Indians to determine whether the Indians are given justice where whites are involved.)

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DEC -8 1923

OFFICE OF INDIAN AFFAIRS RECEIVED DEC 10 1923 93807

Mr. James E. Henderson,

Supt., Cherokee Agency.

My dear Mr. Henderson:

You will please submit to the Office immediately your recent report on the condition, etc., of the Croatan Indians in Robeson County, North Carolina. A small delegation of the Croatans is here and it is necessary for us to have your report before taking action in their matters.

Very truly yours,

Signed E. B. Meritt

Assistant Commissioner.

File

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Cherokee School-150.

"PROBABLE IDENTITY OF THE 'CROATAN' INDIANS"

BY DR. J.R. SWANTON,
SMITHSONIAN INSTITUTION

WASHINGTON
1933

UNITED STATES
DEPARTMENT OF INTERIOR
OFFICE OF INDIAN AFFAIRS

Robeson County Indians.

73619

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of Indian Affairs

Washington, D. C.
1933.

Probable Identity of the "Croatan" Indians
by Dr. J. R. Swanton, Smithsonian Institution.
John Reed Swanton -

The name "Croatan" has been given to a body of people of white and Indian origin living mainly in Robeson County, N. C. but scattered also in Bladen, Columbus, Cumberland, Scotland, and Hoke counties, and in Sumter, Marlboro, and Dillon counties, S. C. In 1910, 5,895 were returned from Robeson County, and it was estimated that the families scattered outside of it (beyond the boundaries of this county) would raise the total to about 8,000. Prior to 1835 the adult males of this tribe exercised the right of franchise and a few of their children are said to have been admitted to the white schools though most of them received their instruction in "subscription" schools organized by themselves. By clause 3 of section 3 of the amendments to the state constitution of 1835 they lost the right of franchise and until the adoption of the constitution of 1868 they were regarded and treated as "free persons of color," which practically meant free negroes and their children were excluded from white schools. Between 1868 and 1885 unavailing attempts were made to compel them to use the negro schools but they preferred to allow their children to grow up in ignorance.

In 1885 through the efforts of Hon. Hamilton McMillan, who believed them to be descendants of the lost Raleigh colony, they received the designation "Croatan Indians", and were granted schools of their own. In 1888 fifty-four of these Indians petitioned Congress for aid and their petition was referred to the Indian Office but the Commissioner of Indian Affairs replied that he was unable to help them. By an act of the General Assembly of North Carolina ratified March 11, 1913, these Indians were designated "Cherokee Indians of Robeson County." On June 30, 1914, the Senate of the United States passed a resolution directing the Secretary of the Interior "to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina," and this investigation was intrusted to Special Indian Agent O. M. McPherson who turned in his report on September 19, 1914. On January 4, 1915, the Secretary of the Interior Franklin K. Lane transmitted it to the Senate. This report covers 252 pages and quotes extensively from the early historical sources. It includes sketches of the history of tribes possibly related to this and contains sections dealing with the economic, social, and legal status of the tribe in question. Mr. McPherson is cautiously non-commital as to their precise affiliations.

My first encounter with a Robeson County Indian was in the office of Mr. Mooney a few years before his death. He called me in on this occasion, pointed to a tall swarthy individual standing near and asked me if I did not clearly recognize the Indian features.

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73619

Recently my interest was reawakened by a delegation sent to me by the Commissioner of Indian Affairs to answer certain questions regarding their history about which he thought I might have information. As their quest fell in line with some researches I had already been engaged upon, I spent a few days looking into the matter. This information seeming to be of interest in certain quarters, I am committing the main facts to paper.

When whites made their appearance on the southeastern coast of the present United States, the piedmont region of Virginia and North Carolina and most of that of South Carolina, was occupied by tribes belonging to the great Siouan family, a great linguistic group named after the well-known Sioux or Dakota Indians. In fact, the only exceptions were in the southernmost parts of South Carolina where Muskhogean tribes had intruded and a narrow strip of country along the fall line, between the Nottaway and Neuse Rivers where lived three Iroquoian tribes, the Nottaway, Meherrin, and Tuscarora. Two small tribes on the lower course of Neuse River, the Neusick and Coree, were also perhaps of Iroquoian lineage, and between Cape Fear River and Winyaw Bay the Siouans had pushed as far as the coast. The rest of the tide water country of North Carolina and Virginia was occupied by Algonquian peoples. In the mountains to the west were the powerful Cherokee, related somewhat remotely to the Iroquois.

"The Siouan Tribes of the East" were the subject of a special bulletin by Mr. Mooney which is the standard work on the subject. One point, however, is not brought out clearly in his treatment, and that is the linguistic differences which existed between the Siouan tribes of Virginia and those of the Carolinas. The tongue or tongues of the former, as shown by the fragmentary evidence which has come down to us, was rather closely related to Dakota, Hidatsa, and other well-known Siouan languages to the northwest. This group comprised the Manahoac, Monacan, Saponi, Tutelo, and Occaneechi. The tribes to the south, however, seem to have been closely connected with the Catawba, and Catawba is the most aberrant of all Siouan languages.

In 1540 De Soto passed through the westernmost territories of the Siouans, encountering in particular the Xuala or Cheraw. In 1566 and 1567, a Spanish officer named Juan Pardo was despatched inland from the new post at Santa Elena (modern Beaufort, S.C.). He retraced as far as Tennessee River the route that had been followed by De Soto but also made an excursion to the east among the Siouan tribes on the Saluda and Congaree, and perhaps as far as the Wateree. In one or two places, including the Wateree town, he constructed small forts and left details of soldiers which were afterwards destroyed by the natives. Already, before Pardo appeared, the Siouan peoples were probably moving toward the northeast, owing to the southward trek of the Cherokee, and this movement appears to have been accelerated by the Spanish invasions, and perhaps fear of reprisal after the destruction of the stockades. There is evidence of such a movement on the part of the Cheraw, Eno, Shakori, Keyauwee, and Saxapahaw. All except the first were close upon the frontiers of Virginia by the middle of the 17th century.

About this time events in the north, particularly the pressure of Iroquoian tribes, had induced some Siouan peoples of Virginia to move south until certain of them reached the northern part of the present state of North Carolina. A little later they moved toward the east, and in 1714 Governor Spotswood settled some of these near a fort which he called Fort Christanna on Meherrin River. Almost all of these Indians, as shown by the names, belonged to the Virginia Siouans, including some of the Manahoac, the Occaneechi, Saponi and Tutelo. The Monacan appear to have remained for a while longer in their town on James River. In 1722 after peace was made between the Iroquois and the Virginia Indians the Siouans at Fort Christanna began to move north, settled for a time at Shamokin, later at Tioga and finally reached the Iroquois country where their descendants are today.

But significantly enough the remaining Siouan tribes living in central North Carolina gravitated in the opposite direction. In 1716 Governor Spotswood of Virginia proposed to settle the Eno, Cheraw and Keyauwee at Eno town on the North Carolina frontiers but his project was defeated by the people of the latter colony on the ground that these tribes were then at war with South Carolina. Some time later the Eno moved on into South Carolina and there is every reason to suppose that the Shakori accompanied them since the two tribes were always closely associated. The Sissipahaw may also have participated in the movement because they were in the same country and by Barnwell are equated with the Shakori. Later the Keyauwee moved to the Pedee and at about the same time the Cheraw, the two tribes settling on that stream, the Keyauwee above and the Cheraw below. During the Yamasee War the Cheraw took the most conspicuous part against South Carolina, but presently some of them passed over to the Catawba and are mentioned among the Indians of that tribe as late as 1768 when they numbered 50 or 60. If we are to believe Adair,[1] at least a part of the Eno also united with the Catawba since he mentions the Eno language as one of those spoken in the Catawba nation.

This evidence shows, therefore, that in the early part of the 18th century a considerable number of small Siouan tribes converged upon the upper Pedee where they lived for a considerable period, that a part at least of one, the Cheraw, afterwards united with the Catawba, that another, the Eno, probably did the same thing and that the Shakori and Sissipahaw, closely related tribes, may have accompanied them. The Keyauwee, however, occupied a village of their own on Pedee River and no mention is made of any subsequent removal on their part.

On the other hand there are indications that certain of the Indians who had gone to the Catawba subsequently returned. In the course of his investigations above mentioned Mr. McPherson interviewed an old "Croatan" Indian named Wash Lowrie who claimed to be almost 80. This old man informed him that "he was told by Aaron Revels, then 100 years old, and Daniel Lowrie, his father, then 73 years old, and Joe Chavis, age 90, that these Indians in Robeson County came from Roanoke in Virginia. That after remaining in Robeson County for some time they went to the mountains with the other Cherokees, but a number returned on account of leaving relatives in Robeson County, where they had mixed with the other tribes and probably with several of the whites." This statement

has been misunderstood on account of an obsession that the Robeson County Indians were Cherokee and confusion between Roanoke River and the City of Roanoke. When we understand the facts regarding Cheraw history, these statements begin to have meaning and the story is consistent. Previous to 1700 they had settled on the Dan River near the southern line of Virginia, and it is to be remembered that the Dan and Staunton unite to form the Roanoke. They moved south about 1710 on account of Iroquois attacks and established themselves on the upper Pedee near the present settlements of the "Croatans", some Occaneechi, Saponi and Tutelo who had been living near the junction of the two rivers perhaps accompanying them. Later we know that some Cheraw moved to the Catawba country and this accounts for the tradition that "they went to the mountains with the other Cherokee." The return of part of them at a later date is not recorded in any history of the section known to me but it is highly probable.

In 1754 Governor Dobbs of North Carolina asked from each county in the province a report regarding the military force it contained and incidentally the number of Indians if any. The report returned for Bladen County which then included Robeson does not mention Indians. It says in fact that there were none but notes that on Drowning Creek at the head of Little Pedee River, was a mixed crew, a lawless people who had possessed themselves of land without patents and without paying any quit rents, and who were reported to have shot a surveyor. They were apparently recognized as whites.

Whatever these people may have been, there is no question that the ancestors of the Indians of Robeson County were in the country when the census of 1790 was taken. The files of this census for North Carolina have columns for white males over sixteen, for white males under sixteen, for white females, free non-whites, and for slaves. Among "free non-whites" were to be included principally free negroes and Indians. It is also to be assumed that more free negroes would attach themselves to white families by whom some of them had been freed than would the Indians. Therefore groups of individuals noted as wholly "free non-white," would be more likely to contain the Indians than those attached to white families except where we find it noted that such a family contained white females for they would certainly be more likely to marry or mix with Indians than with negroes, and except where single individuals are reported in this category. The census gives the names of heads of families and when we examine these we find that the great majority returned from Robeson and adjoining counties have names characteristic of the Robeson County Indians of today, such as Locklear, Lowrie, Chavis, Oxendine, Brayboy or Braveboy, Revels, Brooks, and Cumbo.

The claim that these Indians were Cherokee is based partly on the assumption that they were descended from Cherokee auxiliaries who had accompanied Colonel Barnwell in his campaign against the Tuscarora in 1711-12. Rivers, the South Carolina historian, does, indeed, say that there was a body of Cherokee as well as a body of Creeks with Barnwell, but he is wrong, because Barnwell himself, in a letter dated February 4, 1712, gives a detailed statement of all the Indian tribes represented in his army, and this includes a very complete

representation from all of the Siouan tribes in the region, besides contingents from the Muskhogean Apalachee, Yamasee, and Cusabo and from "Hog Logees" (Yuchi). The Yamasee were plainly withdrawn at the end of the contest. Nor are Cherokee settlers accounted for by the Indian allies of Colonel Moore who headed the second Tuscarora expedition. To be sure he set out with a force of native auxiliaries said to number about a thousand but after the taking of Fort No-ho-ru-co all but 180 of these returned to South Carolina and there is no evidence that the 180 remained permanently.

Confusion of these Indians with the Cherokee was probably due in part to the fact that the Cherokee have been their nearest neighbors of consequence for a long period and in part because of the resemblance between the names Cheraw and Cherokee.

Evidence that these people were connected with the Croatan is still less valid. Croatan was the name of an island and an Algonquian Indian town just north of Hatteras, to which the survivors of the Raleigh colony are supposed to have gone since, when White revisited the site of the colony on Roanoke Island in 1590, he found no trace of it except the name "Croatan" carved upon a tree. But, assuming that the colonists did remove to Croatan there is not a bit of reason to suppose that either they or the Croatan Indians ever went farther inland.

The evidence available thus seems to indicate that the Indians of Robeson County who have been called Croatan and Cherokee are descended mainly from certain Siouan tribes of which the most prominent were the Cheraw and Keyauwee, but they probably included as well remnants of the Eno, and Shakori, and very likely some of the coastal groups such as the Waccamaw and Cape Fears. It is not improbable that a few families or small groups of Algonquian or Iroquian connection may have cast their lot with this body of people, but contributions from such sources must have been relatively insignificant. Although there is some reason to think that the Keyauwee tribe actually contributed more blood to the Robeson County Indians than any other, their name is not widely known, whereas that of the Cheraw has been familiar to historians, geographers, and ethnologists in one form or another since the time of De Soto and has a firm position in the cartography of the region. The Cheraw, too, seem to have taken a leading part in opposing the colonists during and immediately after the Yamasee uprising. Therefore, if the name of any tribe is to be used in connection with this body of six or eight thousand people, that of the Cheraw would, in my opinion, be most appropriate.

38880

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of Indian Affairs

CROATAN INDIANS

Excerpt from Handbook of American Indians,
Bulletin 30, Bureau of American Ethnology,

(Published in 1910.)

The legal designation in North Carolina for a people evidently of mixed Indian and white blood, found in various eastern sections of the State, but chiefly in Robeson County, and numbering approximately 5,000. For many years they were classed with the free negroes, but steadily refused to accept such classification or to attend the negro schools or churches, claiming to be the descendants of the early native tribes and of white settlers who had intermarried with them. About twenty years ago their claim was officially recognized and they were given a separate legal existence under the title of "Croatan Indians," on the theory of descent from Raleigh's lost colony of Croatan. Under this name they now have separate school provision and are admitted to some privileges not accorded to the negroes. The theory of descent from the lost colony may be regarded as baseless, but the name itself serves as a convenient label for a people who combine in themselves the blood of the wasted native tribes, the early colonists or forest rovers, the runaway slaves or other negroes, and probably also of stray seamen of the Latin races from coasting vessels in the West Indian or Brazilian trade.

Across the line in South Carolina are found a people, evidently of similar origin, designated "Redbones." In portions of western North Carolina and eastern Tennessee are found the so-called "Melungeons" (probably from French melange, 'mixed') or "Portuguese," apparently an offshoot from the Croatan proper, and in Delaware are found the "Moors." All of these are local designations for peoples of mixed race with an Indian nucleus differing in no way from the present mixed-blood remnants known as Pamunkey, Chickahominy, and Nansemond Indians in Virginia, excepting in the more complete loss of their identity. In general, the physical features and complexion of the persons of this mixed stock incline more to the Indian than to the white or negro.

"INDIANS OF ROBESON COUNTY"
BY D'ARCY MCNICKLE

WASHINGTON
BIA

05/01/1936

Ind-Org.
DAWoN

Part II

May 1, 1936.

Re: Indians of Robeson County,
North Carolina.

Memorandum:

To get the proper historical perspective on the question of enrollment raised by these Indians of Robeson County, it is well to remember that representatives of these Indians have been appealing to the Office of Indian Affairs since 1888. Two requests have been reiterated constantly: educational assistance and recognition as Indians. The policy of the Office has been to refuse their requests for educational assistance because they were not recognized as Indians; and to refuse them recognition as Indians because they had no treaty rights or other means of forcing consideration. Essentially, the above is an accurate statement of their situation.

The question of whether or not these people are Indians has never been adequately studied. In 1914 Mr. McPherson was directed by the Secretary of the Interior, pursuant to a Senate Resolution, to investigate the condition and tribal rights of the Indians of Robeson and adjoining counties. Mr. McPherson was engaged on this study from July to September, 1914. His report covers fifty-six typewritten pages, besides a number of exhibits; in all, the printed report occupies 252 pages. For his historical data he relied almost entirely upon the work of Hamilton McMillian, whose findings at best are of doubtful value.

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I believe it is safe to say that the Bureau of American Ethnology would not accept McMillian as a competent authority on these people. The only conclusion that Mr. McPherson arrived at was based on the assumption that McMillian's history was dependable. This conclusion was to the effect that: "I do not find that the Hatteras Indians or the so-called Croatan Indians ever had any treaty relations with the United States, or that they have any tribal rights with any tribe or band of Indians; neither do I find that they have received any lands or that there are any moneys due them."

The assumption that the McMillian history was reliable lead to another questionable conclusion. This was, that since the so-called Croatan Indians were descendants of the colony planted by Sir Walter Raleigh's company in 1587, the stock to begin with must have been half white. From this assumption it could be easily reasoned that the group had been mixed from the first. If, however, McMillian is not to be relied upon, then McPherson's conclusions must be questioned. If we accept instead the conclusion of Mr. John R. Swanton that these Robeson County Indians derived from remnants of certain Siouan and perhaps other tribes in comparatively recent times, then it seems safe to assume that the quantity of Indian blood is probably greater than we have been assuming heretofore; there might even be to this day some quite pure strains of Indian blood in that community.

As I have said above, this question of the quantity of Indian blood has never been seriously studied. Whenever a delegation from

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these people has appeared in the Indian Office it has been put off with a statement, based on Mcpherson's report, that the so-called Croatan Indians had no treaty relations with the United States. Actually, in our present state of knowledge of these people, we can not be absolutely sure that there are no treaties extant. For if they are descendants of certain Siouan and other tribes, there may be treaties which have not herefore been considered in connection with these people.

The following is a chronological account of the efforts made by these people to secure recognition and aid from the Indian Office.

In 1888 a delegation of fifty-four, at that time bearing the designation "Croatan Indians", appealed to the Commissioner for aid in educating their children. They pointed out "that the Croatans in said county and state are industrious citizens, engaged for the most part in agricultural pursuits, and are unable to give to their children the benefits of proper educational training." This petition was referred to Mr. J. W. Powell, at that time Director of the Bureau of American Ethnology. Mr. Powell did not commit himself to a belief in the theory of White's lost colony, but said simply: "It is probable that the greater number of the colonists were killed; but it was quite in keeping with Indian usages that a greater or less number, specially women and children, should have been made captive and subsequently incorporated into the tribe."

The decision of the Commissioner on that occasion was given August 11, 1890, as follows: "While I regret exceedingly that the provisions made by the State of North Carolina seem to be entirely inadequte (for the education of these people), I find it quite impracticable to render any assistance at this time. The Government is responsible for the education of something like 35,000 Indian children and has provisions for less than one-half this number. So long as the immediate wards of the Government are so insufficiently provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes."

In 1910, while the Eastern Band of Cherokees were being enrolled, the Indians of Robeson County tried to get legal recognition as Cherokees. While they did not succeed in winning affiliation with the Eastern Band, the North Carolina Legislature yielded to their wishes to the extent of changing their name from Croatan Indians to the "Indians of Robeson County", in 1911, and later to the "Cherokee Indians of Robeson County", in 1913. This attempt to get recognition as members of the Cherokee Tribe should not be dismissed casually as being due to a desire to get land or other benefits designed for the Eastern Band of Cherokees. It resulted rather from the urging of A. W. Nolean of Lumberton, North Carolina. Mr. Nolean had befriended these people and he spent years studying their history and championing their right to recognition as Indians. As a historian he was far from reliable, but he was essentially correct in concluding that,

"Whatever the origin of the Indians of this community was, it is certain that from the first settlement they have been separated from the other inhabitants of that region and are of Indian descent, with Indian characteristics, with complexion, features, and hair of the Indian race, and are now borne on the census rolls as Indians."

The first investigation conducted by the Indian Office was that carried out by Mr. Charles F. Pierce, Supervisor of Indian Schools, in March, 1912. He accepted in part the theory that these people were descendants from the Lost Colony, and observed that "There are but few full bloods among the Croatans, although one would readily class a large majority as being at least three-forths Indian." His statement that "Since the first discovery of these people they have had no Indian language nor Indian costumes," is but a repetition of a statement made over and over again. Actually, there are reasons for believing that until comparatively recently some remnant of language still persisted among these people. I was told, for example, that a certain Aunt Lottie Lowry, who died in 1935 at the age of 86, knew Indian words for a number of common objects.

Mr. Pierce further concluded that the State of North Carolina was providing adequately for the education of these Indians, although admitting that he had not visited the schools and that he had got most of his information from the superintendent of these Indian schools, who was of course a white man, and perhaps a political appointee.

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In 1912 and 1913 bills were introduced in the Senate and in the House to provide money for the construction and maintenance of a school for the Indians of Robeson County. Although reported upon adversely by the Secretary's Office, Senate Bill No.3258, 62d Congress, 2d session, actually passed the Senate on August 6, 1912. As an amendment to H. R. 20729, it died in Committee.

The question of recognizing and assisting these Indians was kept alive, however, and in 1914 the Senate decided that it would have the subject thoroughly studied. Accordingly, on June 30, 1914, it passed Resolution No.410, directing the Secretary of the Interior "to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina," as mentioned above.

Mr. McPherson, who was selected by the Office to make this study, called attention to this fact, that the educational facilities open to these people were distinctly limited, first by the fact that institutions of higher learning in the State were not open to them, and secondly that both Negroes and whites had access to vocational institutions for their respective races which were not available to the Indians of Robeson County. And he recommended that Congress, if it saw fit, could supply a deeply felt need of these people by appropriating funds for the construction of a school of agriculture and mechanical arts. It is interesting to note that in a departmental memorandum the chief of the school section of the Indian Office rec-

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commended active opposition to any such congressional action, on the ground that "to so establish a school would certainly be contrary to our present policy, and tend to prolong the Indian problem rather than to terminate it."

That evidently was the thought which motivated Office policy at that time. It was assumed that the "Indian problem" was a temporary and terminable matter; that on some pleasant day in the future we should wake up and discover that all our Indians were white men. Even if such a theory had been grounded in reality, its consummation for the Robeson County Indians would have been made unlikely by the fact that the State of North Carolina had set these people apart by law, and by forbidding marriage with other races had made certain that the group should be self-perpetuating, while at the same time it provided rather meager services for the tax money it received from them.

It may be pertinent to refer here to a letter written February 11, 1916, to the Superintendent of Carlisle Indian School and signed by the Assistant Commissioner, as follows: "With present attendance at the Carlisle School of approximately 500 and enrollment far below its capacity, there seems no reason why there should not be enrolled those of the Cherokee (or Croatan) from North Carolina who will be eligible in accordance with the course of study. I will request you to give this matter your special attention and report to me how far you can cooperate in getting these children to Carlisle." There is not on file the reply from the superintendent of Carlisle, who at that time

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was Mr. O. M. Lipps, and so it is not clear what steps were taken. I do know, however, that some Robeson County Indians did attend Carlisle.

With reference to a bill introduced in the House in 1916, H. R. 11832, the Secretary of the Interior recommended to the Chairman of the House Committee on Indian Affairs, that "Upon the facts presented (in McPherson's report), I would recommend that an appropriation be made for a boarding school for the Indians mentioned." The same recommendation was made to the Chairman of the Senate Committee on Indian Affairs.

In connection with the same legislation, however, the Commissioner of Indian Affairs on March 2, 1916, wrote the House Committee as follows: "Whether this information would justify an appropriation by the Federal Government to supplement the educational facilities afforded these people is, of course, a question for determination by Congress, but I doubt the wisdom of the Government's assuming this burden." This legislation was not passed.

No further legislation seems to have been contemplated until the 68th Congress, 1st session, when H. R. 8063 was introduced. This Bill would have changed the name "Croatan" to "Cherokee Indians of Robeson and adjoining counties in North Carolina", providing that this should not confer upon such Indians any Cherokee tribal rights to lands or moneys, and provided further "that nothing herein shall be construed as prohibiting the attendance of children of said Croatan Indians in

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Government Indian schools." The latter proviso was inserted by the Secretary of the Interior, who also recommended the enactment of the measure in a letter to the Chairman of the House Committee on Indian Affairs, April 11, 1924.

In the 72d Congress, 1st session, an identical bill was introduced in the Senate, S.4595, and at that time the Commissioner expressed himself to the Secretary as follows: "We believe that the enactment of this legislation would be the initial step in bringing these Indians under the jurisdiction of the Federal Government. Certainly it would have the effect of providing educational facilities for some of them at the expense of the Government. Since the Federal Government does not have any responsibility for these people, it is not for us to say whether or not they should be classed as Cherokees".

Between the 72d and 73d Congresses the Indian Office was again confronted by a delegation of these Robeson County Indians. On this occasion they were referred to Dr. John R. Swanton at the Bureau of American Ethnology. Dr. Swanton devoted several weeks to a study of the early history of these people, and concluded that "Confusion of these Indians with the Cherokee was probably due in part to the fact that the Cherokee have been their nearest neighbors of consequence for a long period and in part because of the resemblance between the names Cheraw and Cherokee.

"Evidence that these people were connected with the Croatan is still less valid. Croatan was the name of an island and an Algonquian

Indian town just north of Hatteras, to which the survivors of the Raleigh colony are supposed to have gone since, when White revisited the site of the colony on Roanoke Island in 1590, he found no trace of it except the name 'Croatan' carved upon a tree. But, assuming that the colonists did remove to Croatan, there is not a bit of reason to suppose that either they or the Croatan Indians ever went further inland.

"The evidence available thus seems to indicate that the Indians of Robeson County who have been called Croatan and Cherokee are descended mainly from certain Siouan tribes, of which the most prominent were the Cheraw and Keyauwee, but they probably include as well remnants of the Eno, and Schakori, and very likely some of the coastal groups such as the Saccamaw and Cape Fears. It is not improbable that a few families or small groups of Algonquian or Iroquoian connection may have cast their lot with this body of people, but contributions from such sources must have been relatively insignificant."

Dr. Swanton recommended that a proper designation for these people might be Cheraw or Siouan Indians of Lumber River.

Following this suggestion a bill was introduced in the House, H. R. 5565, 73d Congress, 1st session, providing that the name Croatan be changed to Cheraw and that these Indians should be recognized and enrolled as such, also that "Such designation, recognition, and enrollment shall not in any manner affect the present status or property

rights of any of such Indians or prohibit the attendance of children of such Indians at Government Indian schools. The provisions of this Act shall not be construed to give to such Indians any rights in or to the tribal lands or moneys of other bands of Indians in the United States."

The same bill was introduced in the Senate as S.1632, and in a letter to the Chairman of the Senate Committee on Indian Affairs the Secretary of the Interior wrote: "As the Federal Government is not under any treaty obligated to these Indians, it is not believed that the United States should assume the burden of the education of their children, which has heretofore been looked after by the State of North Carolina. In view of the foregoing, I do not favor the bill in its present form. However, I do believe that legislation to clarify the status of these Indians is desirable." He therefore recommended that the bill be limited to designating a name for these Indians, with the proviso "that nothing contained herein shall be construed as conferring federal wardship or any other governmental rights or benefits upon such Indians." This bill seems never to have emerged from Committee.

In February 1935 Mr. Joseph Brooks appealed to the Commissioner to clarify the question of what rights these unorganized and unrecognized Indians of North Carolina had under the Reorganization Act. The question was referred to Mr. Cohen, who replied in a memorandum of April 8, 1935, in which the opinion was expressed that these Indians could "participate in the benefits of the Wheeler-Howard Act

only insofar as individual members may be of one-half or more Indian blood. Such members may not only participate in the educational benefits of Section 11 of the Wheeler-Howard Act, in the Indian preference rights for Indian Service employment granted by Section 12 of the Wheeler-Howard Act, but may also organize under Sections 16 and 17 of the Wheeler-Howard Act, if the Secretary of the Interior sees fit to establish for these eligible Indians a reservation."

Upon receipt of the above memorandum Mr. Brooks wrote to the Secretary of the Interior for an opinion, and in a letter dated April 25, 1935, the Secretary concurred fully with the foregoing opinion.

Following this, Mr. Fred A. Baker was detailed to Robeson County in July 1935 to report on the suitability of establishing a land purchase and rehabilitation project among these Indians. In concluding his report he wrote: "The Indians themselves are backing (the project) almost to a man; they are willing to pay back to the Government, over a period of years, such items of expenditure as may be deemed properly reimbursable; they are willing to go on the land and have the Government hold title, or they will consent to the repurchase of the land from the Government if such is determined upon . . . . . They may be depended upon to carry out all their promises and agreements. I do not believe that there can be found anywhere in the country a project which offers greater hope of complete success than the one herein proposed. As an official of the Government I give it my unqualified approval."

From a report made by Mr. John Pearmain for the Resettlement Administration and dated November 11, 1935, the following facts may be gleaned from a study of fifty families: thirty-four families, having 239 members living at home, average 6.76 persons in each house; thirty-six houses contain 257 people, or 7.15 persons per house, or 2.14 persons per room; seventeen tenant farmers, renting on the basis of one-third of the crop, earn, an average annual income of $100.00 per year; six one-half crop renters average $195.00; four owners of their own land have an average income of $310.00.

This brings the story of the relations between these Indians of Robeson County and the Indian Office down to date. I have already written a report of my visit to Robeson County in April, 1936.

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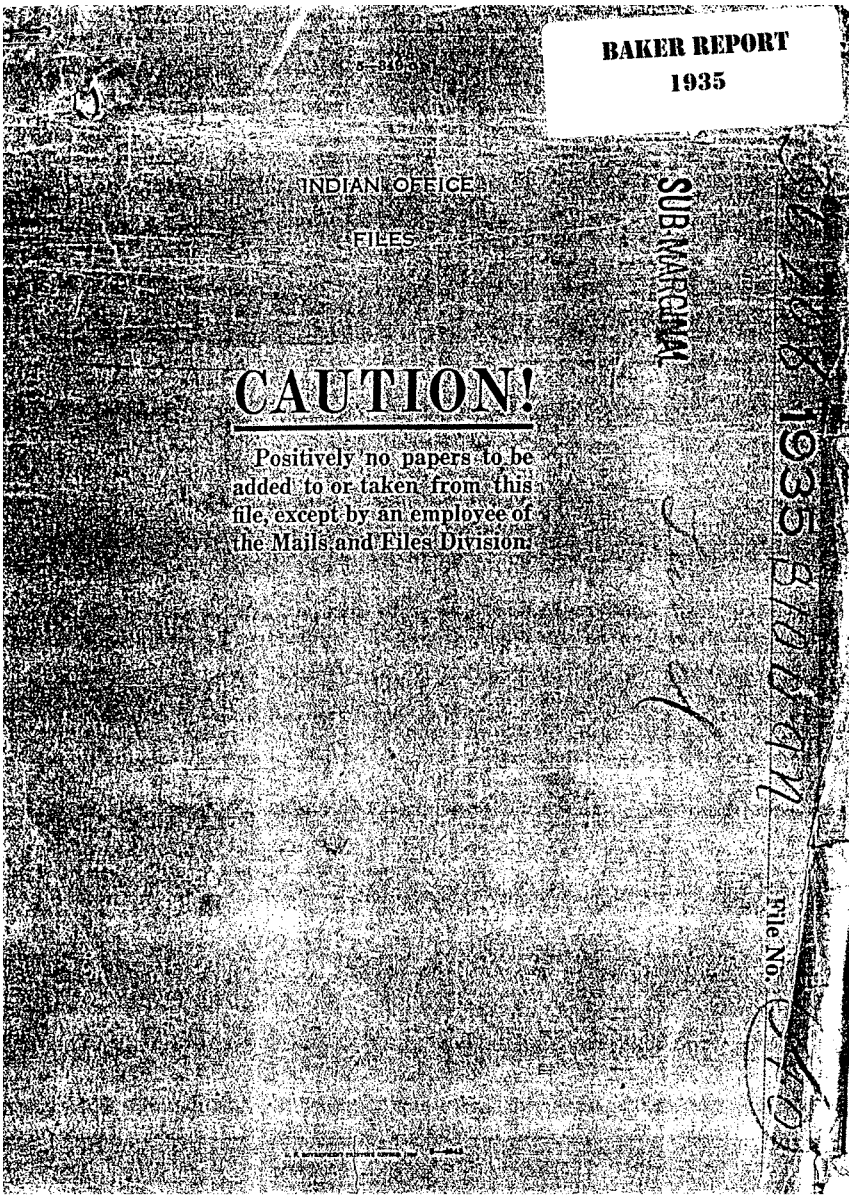

BAKER REPORT
1935

INDIAN OFFICE
FILES

SUB-MARGINAL

CAUTION!

Positively no papers to be added to or taken from this file, except by an employee of the Mails and Files Division.

1935 BAKER

File No.

Mr. Chavis

Commr J C

July 24, 1935

Mr. James Chavis,
Secretary, Siouxn Tribal Council,
Pembroke, North Carolina

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Nor Car.

Dear Mr. Chavis:

Mr. Brooks will have reported to you on the shaping up of your people's matters here. I do not know what outcome we can get but we will do our best and I am earnestly hopeful.

I want to tell you that Mr. Brooks has been in every way a capable, persuasive, convincing representative of your people, up here.

Sincerely yours,

(Signed) John Collier
Commissioner

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L-Sub.
36208-35

L E 3

Mr. James E. Chavis,

JUL 10 1935

Pembroke, North Carolina.

My dear Mr. Chavis:

In reply to your telegram of July 1, requesting that Mr. F. A. Baker be assigned to your district to work out matters pertaining to a purchase project, please be advised that, at this particular time, it is unfortunately not possible to assign Mr. Baker to the work which you suggest.

On the basis of the information which he has obtained and the studies which he is making, further plans will be developed. This all requires time. Be assured, however, that everything possible will be done to assist the Siouan Indians to obtain adequate and healthful living conditions and to become self-supporting and contented.

Sincerely yours,

J. M. STEWART, WOW
Chief, Land Division.

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Carbon for Indian office

WESTERN UNION

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Received at 708 14th St., N. W. Washington, D. C.

WK1 56 DL=PEMBROKE NCAR 1 740A

THE HONORABLE JOHN COLLIER=
COMMISSIONER OF INDIAN AFFAIRS=

SOUAN COUNCIL IN SPECIAL SESSION LAST SATURDAY RESOLVE TH/
MR JOSEPH BROOKS DO REQUEST THE HONORABLE JOHN COLLIER TO
REASSIGN MR F A BAKER TO THIS DISTRICT TO WORK OUT THE
ECONOMIC LEGAL AND OTHER STATUS THAT EXIST HERE MOTION BY
MR BROOKS SECOND BY COUNCILMAN MCGIRT MOTION CARRIED
UNANIMOUSLY D OF SECTION FOUR COUNCIL MINUTES=

JAMES E CHAVIS COUNCIL SECT.

AM 8 20

MINUTES IN TRANSIT: FULL RATE | DAY LETTER

RECEIVED JUL 1 1935 36208

10/30

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

L-Sub.

C E R

JUN 13 1935

Mr. Fred A. Baker,

Washington, D. C.

My dear Mr. Baker:

You are directed to proceed to Raleigh, Pembroke and to other points in North Carolina, for the purpose of making a preliminary investigation of the feasibility of setting up a land purchase and work relief project for the rehabilitation of the Siouan Indians of North Carolina, for presentation to the Resettlement Administration.

Mr. W. A. Hartman, Regional Director, Resettlement Administration, is at Raleigh, North Carolina, and you are directed to confer with him and to secure his cooperation and authorization for such a project, if it is found desirable and feasible.

A considerable number of the Siouan Indians are living in and near Pembroke, in Robeson County, North Carolina, and the Office is advised that they desire to secure the use and control of land in that county, a major portion of such land to be suitable for agriculture in the raising of cotton, tobacco, subsistence gardens and pasture for domestic stock. They have for many years been engaged in this class of agriculture as "tenant" or "crop-share" farmers, and it is desired to secure land for them which can be assigned to individual Indians, the fee title to remain in the United States.

Mr. Joseph Brooks, whose address is Box 1022, Pembroke, North Carolina, has visited the Office on behalf of these Indians and states that land suitable for Indian use can be purchased in Robeson County. He states that he will lend every assistance possible in this work and will secure the assistance of other Indians if necessary. Any tract of land set up as a purchase area should be one upon which the Siouan Indians would go and establish homes; consequently, they should be consulted as to their desires. Mr. Brooks states that they want agricultural land which can be assigned for their use in areas of from twenty to forty acres per family, for the actual growing of crops, this to be supplemented with sufficient and suitable

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land to be used for grazing and pasturage for domestic stock.

The object sought by this preliminary survey is to determine whether a body of land suitable for the use indicated can be acquired; what measure of relief the acquisition of such a tract will afford by reason of work required to make it fully available, and in what degree this work program will tend to take Indians off the relief rolls.

Such a purchase and relief program must meet with tentative approval of the Regional Director of the Resettlement Administration before it can be presented for definite approval by the Division of Rural Land Planning and Development.

It is requested that your report of work done under this assignment be presented prior to June 28.

Sincerely yours,

(Signed) William Zimmerman, Jr.

Assistant Commissioner.

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CC: Dr. L. C. Gray, Chief, Land Policy Section, Dep't of Agriculture.

North Carolina

Siouan

N.C.

Pls leave these sheets in their present order. 10/2

Land Policy

WS

JUN -3 1935

Mr. J. Brooks,
Delegate of Siouan Tribal Council,
Pembroke, North Carolina.

Dear Mr. Brooks:

In accordance with arrangements made while you were here, I expect to detail Superintendent F. A. Baker to make a field study of your proposed land resettlement project, in order to submit such a project as may be approved by this Office to the Land Resettlement Administration. Superintendent Baker, who is experienced in these matters, will assist you and the leading members of your tribe to draw up a land purchase, development, and settlement program, which could well include housing, fencing, land clearing, water development, improvement of pastures, and a forestry program. The plan should not be too comprehensive , (i. e., it should not seek to provide for the major portion of your people) inasmuch as such funds as we may obtain must be fairly apportioned among the various Indian peoples. I must also make it perfectly clear that any project recommended by this Office is subject to approval, alteration, or rejection by the Land Resettlement Administration.

I should like also to ask you and Superintendent Baker to make recommendations looking to the enrolment of those members of your tribe of half-degree or more Indian blood, who would be entitled to organize under and receive the benefits of the Wheeler-Howard Act. It should be made clear to the members of your tribe that any one eligible to participate in the benefits of any reservation that might be acquired and set aside by the Government must be of half-degree Indian blood or more. This does not mean, however, that Indians of less than half-degree Indian blood are not entitled to participate in the work-relief and rehabilitation features of the Work-Relief Act of 1935.

Please be assured of my great interest in your project, and of my entire willingness to assist you in drawing up the project and presenting it to the Land Resettlement Administration.

Sincerely yours,

Commissioner.

6 DJ 2

DUPLICATE

Washington, D. C.
July 9, 1935.

INDIAN AFFAIRS
JUL 10 1935
37889

Commissioner of Indian Affairs,
Washington, D. C.

My dear Mr. Commissioner:-

Pursuant to your instructions dated June 13, 1935 directing me to make a preliminary survey of conditions among the Indians of Robeson County, North Carolina to determine the feasibility of setting up a land purchase-work relief project for their rehabilitation and resettlement, I proceeded to that state by government automobile, as directed, leaving Washington on June 14th at 2 P.M. and arriving at Lumberton, North Carolina on Saturday, June 15th stopping en route at Raleigh for an interview with the Regional Office of the Resettlement Administration. On the following day I visited the town of Pembroke, Robeson County, North Carolina which is almost in the exact center of the Indian population and met Mr. Joseph Brooks, the tribal delegate of the so-called Siouan group, at whose instance and suggestion the investigation was to be made. A series of group meetings at various centers of Indian population were arranged for during the following week. These were deemed necessary in order that I might learn from original sources the exact conditions prevailing among this people. Some seven public meetings were held which were attended by the Indians in each neighborhood. It is estimated that at least four thousand Indians were present at these gatherings. I explained the object of my visit fully and frankly and at each meeting the Indians present were called upon to express their views as to the proposed project and as to the problems confronting them as a people. It may be said without exaggeration that the plan of the government meets with practically the unanimous support of all of the Indians. I do not recall having heard a dissenting voice. They seemed to regard the advent of the United States government into their affairs as the dawn of a new day; a new hope and a new vision. They hailed with joy the offer of the government; many of the old people could not restrain their feelings,- tears filled many eyes and flowed down furrowed cheeks. We must confess to the fact that our own feelings were deeply touched as the old people expressed so deep a longing to have a piece of land on which they could live in peace without fear of ejectment by a landlord. Inquiry revealed that only about fiftenn families out of every hundred owned any land; that eighty-five percent of the Indians were tenants or " share-croppers."

Commissioner-2

and farm laborers. A small number of the Indians have attained a considerable degree of financial independence, own their own homes and farm considerable land. A number are landlords and rent lands to other members of the group. In the small towns and villages some of the Indian group have small, independent business establishments, such as garages, stores, filling stations and blacksmith shops. The teaching profession is followed by as many young men and women as the schools established for the Indians by the State of North Carolina will permit. This profession is becoming greatly overcrowded and will soon cease to afford a career for the graduates of their Normal Training School. They are not permitted to teach in white schools nor in schools established for the negro race.

Share-Croppers are divided into two general classes,- " Third-Croppers " and " Half-Croppers ". Under the plan first named the tenant performs all the labor incident to the growing of crops and receives one-third of the crop. The landlord provides the farm animals, the seed and fertilizer and the farm equipment. Under the Half-Crop system the tenant provides the farm animals and equipment and does all the work, the landlord providing the seed and fertilizer, each party to this contract taking one-half of the crop. There are many variations in these forms of contracts. They are usually verbal agreements. Under the " Stated Rent " plan the tenant pays a definite sum per acre for the use of the land and receives the entire crop from the land. A number of the landlords have commissary stores which sell goods to the Indian tenants; some give a monthly allowance of money in advance of the production of the crop to support the tenant during the crop-growing season. This is not a general rule, however. Some landlords give " orders" on merchants for goods for their tenants or guarantee the payment of their bills. Generally speaking, tenants are bound very closely to their landlords and are restricted as to the amounts they may expend monthly during the credit period. The owners of leased land exercise exceedingly rigid supervision over the planting of crops and their cultivation and harvesting and delivery at the end of the crop season. Complaints were general among the Indian group about the unfairness and inequity of the present system. Interest charges were alleged to be excessive; that tenants were not permitted to " see the books "; that they were restricted as to the amount of food crops which could be raised; that the size of subsistence gardens was unduly limited; and that the amount of credit was so limited during the growing season as to prejudice the health of the tenant families. Underneath all of these complaints I could detect at times hot resentment and at other times a supplication and a prayer that the general government come to the rescue of this suffering people and take measures to break the bonds which shackle them to a system of land tenure unworthy of a free people. Over thousands of these Indian people there hovers constantly the fear of being given a notice on December 1st that they will not be given a renewal of their lease for the following year. Many publicly recounted this experience

and their pathetic story of wandering about seeking a refuge and a haven for their families, told in simple fashion, made a lasting impression on my mind. The present Indian population is pressing closely upon the capacity of tillable land now available for their use. Their numbers are increasing rapidly and already a number are unable to find land to rent. Many married children are compelled to live with their parents,- there is no place else to go. It should be recognized that these people have the status as Indians under the laws of the State of North Carolina and that they must obey the laws binding them to that status. They do not have the same opportunities held forth to them as members of the white race in the South. I find that the sense of racial solidarity is growing stronger and that the members of this tribe are cooperating more and more with each other with the object in view of promoting the mutual benefit of all the members. It is clear to my mind that sooner or later governmental action will have to be taken in the name of justice and humanity to aid them. The growing congestion of population, with no outlet, will in time bring about racial decadence and deterioration. This actually took place a few years ago at a time when tenants were restricted in the acreage given them for the production of subsistence crops as compared to money crops. I was informed by the County Health Officer of Robeson County that a movement was inaugurated which induced landlords to increase the amount of land given to tenants for the planting of gardens. The increased use of vegetables by tenant families cured them of pellagra and practically wiped out this destructive disease among the people of this part of North Carolina. At the outset of this program we find first an imperative need for it among this people, and secondly, the most hearty cooperation on their part to make it a complete success. Nor do we encounter any pronounced opposition on the part of the landlords, nor of the citizens of Robeson County. On the contrary we find many owners of large tracts of unimproved, and even of improved land, who are willing to sell their land at fair and just prices. Public spirited citizens generally recognize the deplorable consequences of the present system of land tenure in the South and yearn to rid themselves of it but up to this time have been unable, unaided, to accomplish this object. Under it the land cannot be kept in the best state of tilth; the fertility of the soil cannot be preserved and erosion and soil exhaustion prevented. Tenants find themselves unable to plant the crops most necessary for the sustenance of their families by reason of the crop year expiring on December 1st of each year. This stands in the way of their planting, for example, wheat, as a breadstuff, as this crop should be planted in October or November in this region. In many instances tenants are not notified by their landlords in the autumn in time for them to plant this most important crop. Landlords appear to be loath to make improvements on land on which they do not live and in which they do not have an active interest; tenants hesitate to make improvements on land which

they do not own and which they can hope to occupy only so long as they please their landlord. Especially is this true of a system under which the greater part of the land is held for only one year at a time. As a result most of the tenant houses are greatly in need of repairs,- we found them cheerless, unpainted, with a drab and dilapidated appearance, with no attempt to beautify yards and grounds by the planting of flowers, grass and ornamental trees. Orchards for the production of fruit for the families were uncommon,- tenants do not plant crops which require a longer period than one year to mature, as a usual rule. Proper rotation of crops is prevented as the landlord is concerned primarily in a money return from his land. Up to this time I have mentioned material considerations largely. In the spiritual realm the result of the present system of land tenure is even more disastrous and deplorable. Over the whole country hangs a pall of fear and uncertainty which holds back and restrains the spirit of progress. Suspicion and distrust between landlord and tenant exist, and sullen hatred in many instances. This does not provide a fertile soil for the development of those sturdy virtues which should belong to the citizens of a republic. Political equality is an idle and almost worthless thing unless through it there comes to a people a reasonable opportunity to earn a decent living, with a reasonable sense of security and independence of thought and action. We favor using government as an instrument, as an agent of the people, to restore the balance which has been lost since free land can no longer be obtained by the people by settlement under the lands laws of the United States. We have now found it necessary to raise money by taxation, lend this money to those needing land with provision for long term repayment, and to provide credit facilities, and thereby make land ownership to become more general than it now is among the people. This is what we propose to recommend for this down-trodden, long-forgotten and neglected people. Fortunately, more favorable conditions for the success of a combined work project and land acquisition program have seldom ever existed anywhere. We have a hard-working and energetic people who need work as a relief measure; we have landowners who are willing to sell their land at a fair price; the land is located in or near the Indian communities; we have a people who want land and are willing to work for it; and we have no local prejudice to overcome but on the other hand we find a hearty approval of the project in general. With all of these factors in our favor we shall now proceed to discuss briefly the Indians of Robeson County, North Carolina and those related to them in the adjoining counties.

We do not deem it necessary in this report to discuss fully the alleged origin of the Indians of Robeson County, North Carolina and vicinity. Time did not permit me to go into their tribal history except in the most meager way. The Indian language has entirely disappeared among this people and their origin remains an unsolved question. Much has been written about this tribe of great interest

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to historians and ethnologists. In the year 1885 they received the names of " Croatan Indians " and were granted special schools of their own by the legislature of the State of North Carolina. They have frequently petitioned the government for aid but as they have never had any treaty relations with the general government it has not been deemed proper to aid them with federal appropriations. By an Act of the General Assembly of the State of North Carolina ratified March 11, 1913 they were designated " Cherokee Indians of Robeson County ". On September 19, 1914 Special Agent O. M. Mc Pherson, in accordance with a resolution of the United States Senate , and under the instructions of the Secretary of the Interior, rendered an exhaustive report relative to this group of Indians. It was published in Document 677, 63rd Congress, 3rd Session and entitled " Indians of North Carolina ". The report is non-committal as to the exact tribal affiliations. Some writers on the subject have maintained that they belong to a branch of the great Siouan family, a linguistic group named after the well-known Sioux or Dakota Indians. An effort has been made during the past two years to have this name, " Siouan ", officially recognized by the Congress of the United States as the proper name of this tribe. Legislation to accomplish this object was introduced in the Congress but it met with opposition on the part of a minority of the tribe and failed of passage. Officially, then, under the laws of the State of North Carolina they are known as the " Cherokee Indians of Robeson County ". Having served as a member of a commission to enroll the Eastern Band of Cherokees of North Carolina I am constrained to doubt the correctness of this designation. Their connection with the Cherokee Tribe must have been extremely remote in the past. That they possess Indian blood is beyond question. It is clear that there has also been a large infusion of white blood of English and Scotch extraction principally. Family names indicate to me also an admixture of Spanish blood. It is conceded also by members of the tribe that there has been an infiltration of negro blood also. But this occurred many years ago. During recent years the two races, Indian and Negro, have lived rigidly aloof. Intermarriage is now forbidden by law between the white race and any race of color, and between the Indian and negro races. Nor are marriages between the Indians and other races, valid in the states where contracted, recognized by the laws of North Carolina. Co-habitation under such circumstances is not permitted by state law, I was informed. Thus three races exist, side by side, each having its separate schools, churches and social organization. Separate schools for the three races are provided by the State of North Carolina. Each race maintains its own churches. The Indians are largely of the Protestant faith. They are very religious and take an active interest in church and Sunday School. All of the pulpits are occupied by Indian ministers some of whom are eloquent and quite well-educated. I found that a friendly feeling existed ~~between~~ among all of the races; very little friction was noted during my entire visit. According to the latest

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estimates based on the Census of 1930 and other registrations of the Indian population there are in Robeson County, North Carolina a total of 70,000 people, of whom 13,000 are classed as Indians and 22,000 as negroes. Indians have the same civil rights as white persons and vote freely at all elections with hindrance or embarassment. They have considerable political power and influence in this part of North Carolina. Educational opportunities, however, are limited to the schools provided by the State for their separate use; they do not have the right to attend the higher institutions of learning of the State. This restriction is a hardship keenly felt by the members of the race. Their ambitious young people are compelled to get higher training in the schools of adjacent states and many of them have done this. Their numbers are increasing rapidly and they soon must expand the area of agricultural land occupied by them or seek homes elsewhere. Fortunately, there is right at hand great areas of excellent land in Robeson and adjoining counties available for their settlement provided some plan is worked out to clear, ditch, drain and make it ready for the growing of crops. Less than half of the land in Robeson County alone is in cultivation, and the same may be said of adjoining counties. We believe that there is sufficient land to take care of normal increases in population in this area for many decades to come. It will not be necessary to abruptly or rudely expatriate the Indian population in order to provide them homes. This may be done in an orderly and gradual manner without causing any great economic upheaval or dislocating the social or business life of the community. It is recognized that the land tenure system cannot be uprooted all at once. All " Share-Croppers" and farm laborers cannot be immediately vested with land ownership. It should be a gradual and a continuing process; a permanent part of governmental machinery if it is to attain the highest success. The plans set forth herein are designed to inaugurate this important policy in a reasonable, feasible way. I have found that the Indians of Robeson County have a splendid credit rating, a reputation for integrity and industry and for meeting their just obligations. My personal observation among them for nearly two weeks at a time when crops were growing convinced me that their reputation for energetic industry is well-founded. Men, woman and children all work in the fields of cotton, corn and tobacco and in subsistence gardens; they are taught and brought up to work and understand how to work. To be lazy is considered a social stigma among them. They plan, save and prepare food for the winter. They have been compelled to do this from time immemorial, so that it is a fixed habit among the majority of the people. Stern necessity has made them what they are,- they have to work or suffer,- they have no paternal government standing back of them to appeal to for succor,- consequently they have learned to depend on themselves. With only a little help their condition may be greatly alleviated, and this, too, may be done in a manner which will not make them dependent, but as self-reliant and able as they always

have been up to the present time. They may be counted upon to do their full part in any program which may be adopted by the government. I do not believe that a better opportunity exists anywhere for the successful carrying out of a rational rural rehabilitation than that which presents itself in Robeson County, North Carolina among this people.

Having discussed briefly the people concerned in this proposed program let us now turn our attention to the County and State in which it is to be effectuated. Attention is invited in this connection to a map of this county made a part of this report and marked Exhibit A; also to a highway map of North and South Carolina marked Exhibit B. The latter shows the location of the County of Robeson in its relation to other parts of the State of North Carolina. The former shows the political subdivisions of the County, a general index of the towns and villages and of the schools and churches, both Indian , negro and white, and the location of the principal railroads, roads and highways and other important data. On Exhibit A is also shown, bounded by a green border, the general area occupied by the Indians of this part of the State. The three principal tracts of land which it is proposed to purchase are also set forth. This does not represent all of the land but indicates those lands which in our judgment should be first purchased. The start of the project should be made on these lands. Other lands can be added as soon as may be practicable. Fortunately,there yet remains ample uncleared land available for settlement and development within the boundaries of Robeson and adjoining counties. According to the data given me by the County Agent of Robeson County there are some 250,000 acres now under cultivation and 337,000 acres not under cultivation. The latter class of lands are mostly what may be designated " logged-off lands " and those in abandoned fields and swamps. The soil is rich and very fertile in this region although to use the language of the locality, it is spotted, that is, it is not entirely uniform. In some places it is underlaid with sand which crops out in places and this fact makes it extremely important that before tracts of lands are purchased they should be subjected to the close scrutiny of soil experts. The land is generally level; the elevation above sealevel is 102 feet. There is ample rainfall and it is generally well distributed throughout the year. I have attached hereto Exhibit C which shows in statistical form the most important data with regard to the climatic conditions prevailing in this general region. Robeson County and certain selected areas in adjoining counties are clearly " Resettlement Areas ", that is, they are capable of being used to relocate agricultural population removed from other less favored portions of the state. There is a resettlement program now going on in an adjoining county under the supervision of the local relief administration. Conditions are ideal for the development of a rural community of the Indian

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population. An ample supply of potable water may be obtained easily; there is ample timber for construction purposes and for firewood and for the curing of tobacco. The temperature is mild; the growing season is long and winters are mild. The soil is of great fertility and produces abundantly a great diversity of crops. I have attached hereto Exhibit D showing briefly the kinds of crops grown in this region by cultivation;also the resources in the way of wild life, such as game and the products of soil native to this part of North Carolina. Not only is it possible to grow many different kinds of crops but conditions are also favorable for growing from one to four crops on the same land each year by the proper planning and rotation of the crops. It is possible to plant wheat in the fall, harvest it in the early summer, plant a corn crop on the same land, plant beans or peas in the growing corn and after those three crops are gathered plant winter cabbage, turnips, mustard or collard. I have set forth some of the crop combinations which may be raised in one year on the same land on Exhibit E. Unfortunately, the growing season at this latitude does not make it possible to market fruits and vegetables successfully in competition with Southern Georgia and Florida whose products dominate the early vegetable and fruit market. Later on the market of the northern states is supplied locally or by communities located farther north nearer the place of sale. I discussed this matter fully with the County Agent and with the Indians themselves. At first blush it would seem that the area were ideally adapted for the growing of vegetables for the market. Up to this time it has not been a success. This source of income is therefore closed to the Indians who are to be located on the proposed project. But it will not prevent any of them from growing for their own use practically all of their food supplies. Properly equipped with livestock an Indian family would be enabled to grow its breadstuffs, produce an ample supply of meat and dairy products which with a great variety of vegetables would make the family almost entirely self-supporting from the land. We have analyzed what we have regarded as a proper division of the acreage in farms ranging from 50 acres to 2½ acres and have allocated the crops which we deem might be profitably grown by Indian farmers to be benefitted from the proposed relief project. This is merely a tentative partitioning of the land and is intended to be suggestive of the possibilities of farms of various sizes. It is the plan generally followed by successful farmers in this region, both white and Indian. It can be varied to suit the needs of each family. It is made a part hereof and marked Exhibit F.

As this project is intended as a combined Work Relief and Rural Rehabilitation plan it becomes necessary for us to discuss briefly the situation in which an impoverished tenant would find himself should he desire to take advantage of living on a tract of land provided by the government. In the first place we propose to purchase largely, if possible, lands not now in cultivation but those commonly designated as " logged-off lands " upon which Indians now on relief may be given employment. Lands of this character may be obtained by the government at the present time at very fair prices.

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In order to indicate roughly the character and amount of labor required to clear an acre of this kind of land we made a study of the operations necessary to reduce it to cultivation from a raw and wild state. We assume that the government desires to provide employment primarily but that it also desires to use the land for settlement afterwards. Under such circumstances we advise that the land be placed in good condition with all the stumps and roots removed. This is not the general and ordinary way where the settler does all the work himself with hand tools. We contemplate the use of a limited amount of heavy equipment such as tractors, heavy disks and plows, etc. The advantage of this plan is great in that it saves a year or two of waiting for the occupant of the new land before money crops can be planted. Most of the labor will be unskilled and will be performed by hand. The ditching in many instances may also be done by hand labor,- this being the usual way in this part of the country.

The question may be asked as to the amount of land which should be set aside for the use of each family. This naturally will depend upon the size of the family, the ages of the prospective settlers, their marital status, and many other factors. We do not need to go into this matter at length at this time. In Exhibit F we have worked out a crop plan for farms of various sizes ranging from 50 acres down to 2½ acres which we trust will be of value to the Office. A part of each farm should be set aside for a woodlot preferably, or if this is not deemed good practice a portion of each project should be reserved for common use for pasturage and as a source of fuel supply and for construction purposes. It was noted that nearly every farm now in operation had a tract of woodland contiguous to the cultivated lands. This is the most advantageous arrangement for the settler. The pasturage of his cattle and his hogs should be located near his home so as not to consume too much time in going back and forth from the home to the pasture. Domestic animals require shade and the mistake should not be made of clearing too much land of each farm unit. As the title to the land will be held by the government the control of the forest may be maintained whether the timber lands are held in common or assigned in connection with each separate farm unit. The size of the farm should be adjusted to the requirements of each family. It would be a serious mistake, in my judgment, and in the judgment of the Indians competent to pass on this question to assign to each family too small an acreage. Opportunity to labor is limited and restricted. There are no manufacturing establishments which will absorb Indian labor and the prospects are that there will be none in the future. Most of the factory labor in the cotton and other mills is performed by white people. The turpentine industry and the lumber mills, in large measure, have left this part of North Carolina. Labor on public works will afford but limited

scope for employment as this field has been largely taken over by white workers. All of these facts must be taken into consideration in the formation of a plan for the rehabilitation of the Indians. We are constrained to believe that the future of the Indian in this part of the State of North Carolina will largely be on the land; that his living must be earned from the land and that his employment will be almost wholly on his land. Consequently, it would be a serious mistake to place an Indian family on too little land, or to depend upon much outside employment to supplement the income from the growing of crops. The Indian farmer must not only grow most of the food for the use of his family but also must produce a certain amount of money crops to enable him to purchase the things which he cannot raise. It is very common among this people to find large families and provision should be made now for the increase in population in the Indian group. Indeed, the population is, at the present time, pressing closely upon the capacity of the agricultural lands now in cultivation. Many parents express concern as to the future of their children,- they see no way out except through the government taking the steps suggested in this report,- the making available of additional lands as homes. A family consisting of a man and wife and ten children, which is common, cannot be expected to make a success of farming on a few acres. We feel that the standard size of a farm should be 40 acres and have based our calculations upon that figure. A farm of such a size will take care of all the needs of a large family now and for many years to come; it will provide a building site for farm buildings, for subsistence gardens, a wood lot, pasturage for sheep, hogs, goats and other livestock, make possible the production of wheat and other breadstuffs, the proper rotation of crops so as to conserve soil fertility, and the growing of such money crops as cotton and tobacco as will enable the family to live a wholesome and prosperous life, - that full life which is the vision cherished for rural communities. This amount of land will also, to a limited extent, afford a home for one or more married children. It would be a mistake to settle a family upon a small farm now with the expectation of buying, at a reasonable figure, additional lands in the future. Land is rising in value and will continue to rise in this part of North Carolina. The continued influx of farmers in this ideal resettlement area is bound to have its effect on land values. The time to acquire the land is now when values are low and when funds are available. We have taken into consideration that many destitute Indian families will not require this amount of land. A widow or an old couple could be accommodated on from two and one-half to five acres, and many families can be nicely taken care of on ten or twenty acres. Attention is invited to Exhibit F which indicates a crop plan for farms ranging from 2½ acres to 50 acres designed to show the possibilities on tracts of lands of various acreages.

As to the plan of resettlement it was the consensus of opinion among the Indians that the " neighborhood " plan instead of the village plan should be adopted. All were outspoken in favor of having each home out on the land which is the universal custom among the members of this group.

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After a careful investigation of this phase of the resettlement program we are of the opinion that the wishes of the Indians in this matter should be respected. We have observed that those now living on small farms are better off than those who live in the small villages. A neighborhood group should have, however, a community building large enough to take of the needs for wholesome recreation. It could be designed as a combined gymnasium, social hall and as a place for the meeting of farm chapters, 4-H clubs and other like organizations. This building should be located at a convenient place in the neighborhood and enough ground should be reserved to provide for baseball and volley ball grounds, tennis courts and for other outdoor sports. There is a great need among this people for a building of this character.

Robeson County, North Carolina is well adapted for the carrying out of rural electrification. Power lines are located near enough the lands recommended for purchase in this report as to make possible at little expense the bringing of this utility to the homes of the Indians. A number of Indian families now living in Pembroke and other villages use electricity. I visited one farm home which had electric lights, a radio, electric range and ice box and other conveniences. It must be recognized that a family must have reached a certain degree of prosperity and have a steady income before it can afford this convenience, a steady income being required to meet the expense. We are confident that rural electrification will be one of the great future developments in this part of North Carolina. It is being considered as a project by the local Relief Administration.

Attention is invited to various exhibits to this report which elucidate the problem presented by the proposed Work Relief Program and subsequent resettlement of the Indian families on the land. We feel strongly that the United States is justified in coming to the aid of a people already recognized by the laws of the State of North Carolina as Indians. It is true that they have no treaty or other legal relationship with the United States government. Under many handicaps and beset with many difficulties they have, up to this time, made their own way. I would not have the government assume that measure of control which is now exercised over many Indian tribes as I feel that this would tend to bring about a spirit of dependence which would tend to destroy that sturdy spirit of self-reliance which now prevails. But the measure of relief recommended herein, if properly carried out, will not, in any way, bring this to pass. This plan is intended to give Work Relief and to take Indians off the relief rolls by giving them employment at reasonable wages. The project has already received the approval of Mr. James M. Gray, Head Agricultural Economist, whose letter dated June 28, 1935 addressed to Dr. L. C. Gray, Chief, Land Utilization, is made a part of this report. Among other things Mr Gray says,

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" This group of Indians is different in that they are individual land owners, or tenants on individually held land. There is a very definite problem of resettlement among the Indians. I believe that this would make a splendid project in resettlement because there is available within the area now occupied by the Indians land suitable for this purpose."

" My only thought in writing at this time is that from the information in hand, and my personal knowledge of the situation, I feel a real service can be rendered these Indians in resettlement and rehabilitation.

I may say that Mr. Gray is Head Agricultural Economist of the District in which the State of North Carolina is located, of the Resettlement Administration. He is personally familiar with the situation among the Robeson County Indians. I feel that his endorsement of this program should carry the weight to which it is entitled.

The Indians themselves are backing it almost to a man; they are willing to pay back to the government, over a period of years, such items of expenditure as may be deemed properly reimbursable; they are willing to go on the land and have the government hold the title, or they will consent to the repurchase of the land from the government, if such is determined upon; they are willing to work for wages and they are anxious to go on the land and hew out their livelihood; they may be depended upon to carry out all of their promises and agreements. I do not believe that there can be found anywhere in the country a project which offers greater hope of complete success than the one herein proposed. As an official of the government I give it my unqualified approval and hearty endorsement agreeing in every particular with Mr. Gray whose letter is quoted in part above.

It has been a source of satisfaction to me to have been designated to make this preliminary survey. We are hopeful that our efforts have been useful to you and that from them there will come a successful inauguration and carrying out of a Work Relief and Rural Rehabilitation program among a worthy and deserving group of Indians.

Very respectfully,

Fred A. Baker

Fred A. Baker, Superintendent,
Sisseton Indian Agency.

Enclosures
See Exhibits herewith

EXHIBIT TO REPORT OF FRED A. BAKER.

Exhibit A,- Map of Robeson County, North Carolina, marked.

" B,- Highway map of North and South Carolina, marked.

" C,- Statistical data as to Robeson County, North Carolina.

" D,- Statement of crops grown in Robeson County, North Carolina.

" E,- Statement of combinations of crops, etc.

" F,- Suggested acreages of various crops on farms of different size.

" G,- Statement of labor operations involved in clearing land.

" H,- General description of lands available for purchase, etc.

" I,- Estimated needs of an Indian family on new land.

" J,- Combined estimate of needs rehabilitation and resettlement of 200 Indians families on proposed projects.

" K,- Copy of letter approving project of James A. Gray, Head Agricultural Economist.

" L,- Statistical statement of families on Relief, Robeson County, North Carolina.

" M,- Letter of approval of Joseph Brooks, Tribal Delegate, Indians of Robeson County, North Carolina.

" N,- Letters of instructions from Commissioner of Indian Affairs as to making preliminary investigation.

" O,- Statement of Personnel needed in Work Relief Program.

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EXHIBIT " A "

Note:-

Map filed with original copy of report. Only one copy available.

EXHIBIT " B "

Highway pay of North and South Carolina. Copy of map filed with original copy of report.

EXHIBIT "C"

Statistical data as to Robeson County, North Carolina.

Location:

Southeastern North Carolina touching Northern boundary of South Carolina.

Longitude, between 79 degrees and 80 degrees west, approximately

Latitude, between 34 degrees and 35 degrees north, approximately.

Agricultural Classification

466 D Coastal Plain (see map " Type of farming areas in the United States, 1930. Bureau of the Census, etc, Department of Agriculture.)

Area

900 square miles, approximately.

587,000 acres

a. under cultivation----------250,000 acres

b. not under cultivation----------337,000 acres

EXHIBIT----------

Altitude above Sea Level

102 feet------land in county generally level. No hills of any size.

Rainfall

48.49 inches (Record over a period of forty years, 1887-1929)

Distribution of Rainfall

January	3.21 inches	July	5.68 inches
February	4.27 inches	August	5.94 inches
March	3.71 inches	September	4.40 inches
April	3.55 inches	October	3.18 inches
May	3.87 inches	November	2.17 inches
June	5.47 inches	December	3.14 inches

Mean maximum annual temperature	73.9 degrees
Mean minimum annual temperature	50.3 degrees
Highest temperature recorded (1926)	108 degrees
Lowest temperature recorded (1899)	1 degree

EXHIBIT D

Robeson County, North Carolina

Principal crops

Cotton,	Cabbage	Peaches
Tobacco	Collard	Apples
Corn	Beets	Plums
Wheat	Lettuce	Pears
Oats	Okra	Grapes
Rye	Peppers	Blackberries
Potatoes, Irish	Onions	Raspberries
Potatoes, Sweet	Tomatoes	Strawberries
Watermellons	Carrots	Huckleberries
Cantaloupes	Turnips	Plums, wild
Cane, Ribbon	Rape	Cherries, wild
Cane, Sorghum	Cucumbers	
Peas, field		

Wild game

Rabbits	Ducks	Fish
Raccoon	Quail	Trout
Opossum	Dove	" Jacks "
Mink		Pike
Squirrel		Perch
Deer, (very few)		Catfish
		Blackfish
		Redbreast
		" Brims "

Note:-

This statement is submitted as to wild game for the reason that this resource contributes substantially to the subsistence of the population of this region. This is also true of wild fruits. It would be advisable to conserve this resource, develop it and make it of greater utility to the people.

EXHIBIT E

Statement of combinations of crops which can be produced in one crop year in Robeson County, North Carolina.(November 1 to October 31)

Wheat) Rye) Oats)	corn, peas (or beans)	(Cabbage (turnips (mustard (collard

Wheat	corn	peas (or beans)
Rye	corn	peas (or beans)
Oats	corn	peas (or beans)
Wheat) Rye) Oats)	Sorghum or ribbon cane	

Tobacco and peas (or beans)

Tobacco and rye (or wheat)

Corn and peas (or beans)

Peanuts and peas (or beans)

Watermelons and peas (or beans)

Wheat and corn

Rye and corn

Oats and corn

Oats and peas (or beans)

Rye and peas (or beans)

Wheat and peas (or beans)

Cabbage and corn (and beans)

Wheat corn cabbage (or collard or mustard)

Note:

The above data sets forth a number of crop rotations and combinations. Other groups f crops may be mentioned.

EXHIBIT F

Suggested acreages for crops on lands roposed to be purchased as a work project for the Indians of Robeson County, North Carolina.

50 Acre Farm

.1. Cotton	10 to 15 Acres
2. Tobacco	3 to 5 Acres
3. Corn	5 to 10 Acres
4. Wheat	3 Acres
5. Orchard	1 Acre
6. Garden	1 Acre
7. House and Yard	½ Acre
8 Barnyard, chicken house, Hog lot, etc.	1 Acre
9. Wood lot	13½ Acres

40 Acre Farm

1. Cotton	6 to 9 Acres
2. Tobacco	2 to 3 Acres
3. Corn	6 to 8 Acres
4. Wheat	3 Acres
5. Orchard	1 Acre
6. Garden	1 Acre
7. House and Yard	½ Acre
8. Barnyard, Chicken House hog lot	1 Acre
9. Wood lot	13½ Acres

30 Acre Farm

1. Cotton	4 to 5 Acres
2. Tobacco	1 to 2 Acres
3. Corn	5 to 7 Acres
4. Wheat	2 to 3 Acres
5. Orchard	1 Acre
6. Garden	1 Acre
7. House and yard	½ Acre
8. Barnyard, Chicken house, hog lot etc.	1 Acre
9. Wood lot	9½ Acres

20 Acre Farm

1. Cotton	2 to 3 Acres
2. Tobacco	1 to 2 Acres
3. Corn	3 to 5 Acres
4. Wheat	2 Acres
5. Orchard	½ Acre
6. Garden	½ Acre
7. House and Yard	½ Acre
8. Barnyard, Chicken house, hog lot, etc.	½ Acre
9. Wood lot	6 Acres

10 Acre Farm

1. Cotton	1 Acre
2. Tobacco	1 Acre
3. Corn	2 Acres
4. Wheat	1 Acre
5. Orchard	½ Acre
6. Garden	¼ Acre
7. House and Yard	¼ Acre
8. Barnyard, Chicken house, hog lot, Etc.	¼ Acre
9. Wood lot	2 3/4 Acres

5 Acre Farm

1. Cotton	½ Acre
2. Tobacco	½ Acre
3. Corn	1 Acre
4. Wheat	½ Acre
5. Orchard	1/4 Acre
6. Garden	1/4 Acre
7. House and Yard	1/4 Acre
8. Barnyard Chicken hous , hog lot, Etc.	1/4 Acre
9. Wood lot	1½ Acres

2 $\frac{1}{2}$ Acre Farm

1. Cotton	None
2. Tobacco	None
3. Corn	$\frac{1}{2}$ Acre
4. Wheat	None
5. Orchard	$\frac{1}{4}$ ~~2~~ Acres
6. Garden	$\frac{1}{4}$ ~~2~~ Acres
7. House and Yard	$\frac{1}{4}$ ~~1~~ Acres
8. Barnyard, Chicken House, Hog lot, Etc.	$\frac{1}{2}$ ~~1~~ Acres
9. Wood lot	$\frac{3}{4}$ Acre

EXHIBIT _____.

EXHIBIT "G"

Statement of labor operations involved in clearing and draining lands under proposed Work Relief Projects for the Indians of Robeson County, North Carolina.

1. Falling of trees, by cutting or pulling by tractor and cable.
2. Bucking, swamping and decking (peeling of trees if log construction is to be carried out).
3. Cutting, piling and burning of underbrush.
4. Removal of stumps.
5. Plowing by heavy breaking plow with teams or tractor, the latter preferred.
6. Removal of roots, some grubbing.
7. Disking with heavy disk, team or tractor, the latter preferred.
8. Removal roots.
9. Cross-disking.
10. Bedding out or dead furrowing.
11. Harrowing.
12. Ditching.

Estimated cost clearing logged-off lands. . . . . .$25.00 an acre.

Estimated cost of ditching lands per acre

(Assuming that main canals have been

excavated) . . . . . 6.00 an acre.

Total cost per acre $31.00

Wages in region (Unskilled). . . . . $22.00 per month.

Estimated number of man-months

per acre (unskilled labor). 1.4

Note:

No account is taken herein of the employment of skilled labor as the greater part of the work of clearing and ditching land will be performed by unskilled labor. Some skilled labor would be necessary for surveying of drainage, ditches, operation of tractors and other power machinery, but the amount would be very small in comparison with the use of unskilled labor.

EXHIBIT " H " Statement No. 1.
W. Newton Jackson, Wm. S. Gordy, Jr., and F. W. C. Webb

Receivers for

JACKSON BROTHERS COMPANY
Manufacturers of
Kiln-Dried North Carolina Pine
Cypress-Hardwoods
General Offices: Salisbury, Md.
Brunswick, N. C.

W. T. Sledge
Gen. Supt.

Shipping Point:
Whiteville, N. C.

LANDS OWNED IN ROBESON COUNTY:

	Acres
Wishart Township	
Butters Lumber Co.	165
B. L. Downing	287
White House Township	
Drusie Inman	24
R. C. Rogers	48
A. L. Bullock	166
Thompson Township	
Joseph E. Cox	242
Raft Swamp Township	
L. E. Tynor	50
Pembroke Township	
D. J. McCormick	132
G. B. Patterson	200
W. W. McCormick	81
Orrumn Township	
Stubbs	5
Maxton Township	
S. R. Townsend	700
Howellsville Township	
G. F. Allen	46
E. Campbell	46
G. B. Shaw	46
Gaddys Township	
A. E. White	147
Britts Township	
J. E. Britt	404
C. F. Bullock	75
T. A. Norment	72
W. J. Ward	100
	3016

EXHIBIT " H " Statement No. 2.

1. Name of proposed work project. . . . . Baker Tract.

2. Owners . . . . . .Angus G. Pate, Rowland, N. C.
Dr. G. M. Pate, Rowland, N. C.
C. O. Pate, Rowland, N. C.
Z. W. Pate, Laurinburg, N. C.

3. Number of acres. . . . . 1800, more or less.

4. Location . . . . . State of North Carolina, Alfordsville and Pembroke Townships, Robeson County.

5. Towns. . . . . Maxton - 8 miles.
Pembroke - 3 miles.
Lumberton -18 miles.
Elrod -2½ miles.

6. Schools. . . . . Sampson District School at edge of tract.
Pembroke High School.
Indian State Normal College, Pembroke.

7. Churches . . . . . Harper's Ferry - ½ mile.
White Hill - 1½ miles.
Pembroke - 3 miles.

8. Roads. . . . . State improved highway runs along south side of tract. Also State improved highway runs along north side. U. S. Highway 74 runs near northwest corner and along north of tract from ¼ to 1 mile distant.

9. Railroads. . . . . (a) Seaboard Airline Railroad runs within 1½ miles northerly from tract.
(b) Atlantic Coast Line runs within 2 miles southeast of tract.
(c) Maxton-Alma and Southbound R. R. passes west tract about 2½ miles.

10. Electric Power Lines . .Main line and sub-station line within 1½ miles north - Carolina Power Company.

11. Rivers. . . . . .Lumber River within ½ mile of tract.

12. Topography

Acres cleared. 160

Acres uncleared. 1620

(a) Drainage

Area drained by three main canals, all completed.

Tract needs additional drainage by lateral canals which may be dug by hand or by special machinery suitable for that purpose.

Area subject to overflow - none.

Area which can be cultivated by clearing -- all of the tract.

Remarks - Land is level generally with sufficient fall to insure efficient drainage by proper ditching.

13. Soils. . . . . Dark Norfolk Sandy loam.

All good land for agriculture when drained and cleared. No noxious weeds noted. Insect pests -- "Red bugs" and mosquitoes, both of which disappear from clearing and cropping of land.

14. Minerals. . . . . None.

Sand for building purposes may be gotten on the land or near it.

15. Timber. . . . Land has been "logged-off" - second growth shortleaf pine, oak, maple, gum, and some hickory cover the uncleared lands.

Value of timber (for wood and building purposes). . . . .$8.00-$10.00 an acre.

16. Improvements

U. S. Government fence and several old houses.

17. Valuation of Land

This land should be purchased by the Government at from $10.00 to $12.00 an acre.

18. Crops

See Exhibit _____.

19. General Remarks

EXHIBIT " H " Statement No. 3

June 27, 1935.

Mr. Fred A. Baker,
Special Agent,
City.

Dear Sir:

In accordance with your request, I have obtained from the records a list of property owned by Mrs. Eoline P. Spiro in Howellsville Township and find that the total acreage, according to the list record, is 970 acres. While this land does not all adjoin, according to my understanding, these various tracts lay in close proximity, one tract containing at least nearly 400 acres.

In St. Pauls Township, which is adjacent to Howellsville Township, she has 585 acres, more or less, exclusive of the tract of land located near the edge of the Town of St. Pauls. It is my understanding that a goodly part of the St. Pauls Township lands is located between the Howellsville lands and the Town of St. Pauls and that at least part of it is not far north of the Howellsville Township lands.

I have just procured information to the effect that McLean & Stacy, locally, represent the Putters Lumber Comapny.

It occurred to me that you might desire to obtain information as to the relative location of these various tracts of land to each other, and if you are going to be in this vicinity for some several days I can obtain definite information with respect to this. Youmay let me know if you care to obtain this information.

Very truly yours,

Johnson & Floyd,

EXHIBIT " H " Statement No. 4

Tract No. 6 W. R. Mc Neil Lands (Buie Estate.

Note:- Map is filed with original report only.

EXHIBIT " I "

Estimated needs of an Indian Family on New Lands
(Robeson County, North Carolina)

Land and equipment, etc.	Estimated cost
40 acres at $15.00 an acre,.....	$600.00
Buildings	
1 House,.....	$500.00
1 Barn,..... ..	$125.00
1 Barn, (Tobacco),.....	$120.00
1 Chicken House,.....	$ 20.00
1 Smoke House,.....	$ 20.00
1 Sanitary Toilet,.....	$ 18.00
Livestock	
1 Mule,.....	$175.00
1 Cow,.....	$ 40.00
1 Sow, brood,.....	$ 15.00
3 pigs ($5.00 each),.....	$ 15.00
30 chickens (40 cents each),....	$ 12.00
Farm Equipment	
1 Wagon,.....	$ 65.00
1 set harness, single,.....	$ 15.00
1 Oliver Turning plow,.....	$ 10.00
1 Shovel Stock plow,.....	$ 8.00
1 Axe,.....	$ 1.50
3 hoes, ($1.25 each),.....	$ 3.75
2 rakes,.....	$ 2.50
1 Pitchfork,.....	$ 2.25
1 set (Square, Saw and Hammer),.....	$ 7.00
3 rolls, wire (hog) at $10.00 each,.....	$ 30.00
3 rolls, wire, barbed, $ 5.00 each,.....	$ 15.00
Fertilizer	
Lime,.....	$ 20.00
Soda,.....	$ 10.00
Guano (For Tobacco and Cotton),.....	$ 50.00
Seed	
Cotton, $5.00; tobacco, $7.00; Corn, $3.00, Garden Seed, $5.00,.....	$ 20.00
Credit	
Funds for support of family for 8 months during the crop growing season at $10.00 per month,	$ 80.00
Total,.....	$2,000.00

EXHIBIT " J "

Estimated needs of 200 Indian Families re Rural Rehabilitation Program, Robeson County, North Carolina

	Land, Equipment, etc	Estimated Cost
	Land, 40 acres for each family, 8,000 acres at $15.00 an acre,.....	$120,000.00
	200 Houses at $500.00 each,.....	$100,000.00
	200 barns at $125 each,.....	$ 25,000.00
	200 barns, Tobacco, at $120 each,.....	$ 24,000.00
	200 chicken Houses at $20 each,.....	$ 4,000.00
**	200 smoke houses, at $20 each,.....	$ 4,000.00
	200 mules at $175 each,.....	$ 35,000.00
	200 cows at $40 each,.....	$ 8,000.00
	200 sows at $15 each(for breeding purposes),	$ 3,000.00
	600 pigs(3 each family for meat first year)	$ 3,000.00
	6,000 chickens (30 to a family),.....	$ 2,400.00
	200 wagons, at $65 each,.....	$ 13,000.00
	200 sets harness, single at $15 each,.....	$ 3,000.00
	200 Oliver Turning Plows at $10 each,.....	$ 2,000.00
	200 Shovel Stock plows at $8 each,.....	$ 1,600.00
	200 axes at $1.50 each,.....	$ 300.00
	600 hoes (3 to each family),...	750.00
	400 rakes (2 to a family),.....	500.00
	200 pitchforks,..... at $2.25 each,.....	$ 450.00
	200 sets (Saw,Square and hammer) at $7 set,...,	$ 1,400.00
	600 rolls wire (3 for each family at $10 each (hog)	$ 6,000.00
	600 rolls wire, barbed(3 rolls each family at $5	$ 3,000.00
	200 units Lime fertilizer, at $20 each family,.....	$ 4,000.00
	200 Units, Soda, at $10 each,family.....	$ 2,000.00
	200 Units Guano, at $50 for each family,.....	$ 10,000.00
	200 Units, Cotton Seed at $5 each family,.....	$ 1,000.00
	800 Units, Tobacco Seed, $7 each family,.....	$ 1,400.00
	200 Units, Corn, at $3 for each family,.....	$ 600.00
	200 Units, Garden Seed, at $5 each family,.....	$ 1,000.00
**	200 Toilets ... ** Credit .... at $18 each,...	$ 3,600.00
	200 families, Credit for each family for 8 months pending income from land, at $10 per month for each family,.....	$ 16,000.00
	** Note:- This is a vital part of the entire program. The government will have to take the place now occupied by the landlords if this plan is to be a success.	
	Total estimated cost for the rehabilitation and resettlement of 200 Indian families,.....	$400,000.00

EXHIBIT " K "

Raleigh, North Carolina
June 28, 1935

Dr. L. C. Gray, Chief
Land Utilization,
Resettlement Administration,
Washington, D. C.

Dear Dr. Gray:

Mr. Fred A. Baker, connected with the Indian Office was in to see me this morning relative to a project at Pembroke. It seems that his office has asked him to make a preliminary survey looking towards a resettlement project with the Indians of this area. As I see the project it more nearly falls under Dr. Taylor's division than the Land Utilization. However, I am writing you relative to the matter for your information. If you want me to follow it up further, I will do so, or you can refer it to Dr. Taylor.

This group of Indians is different in that they are individual land owners, or tenants on individually held land. There is a very definite problem of resettlement among the Indians. I believe that this would make a splendid project in resettlement because there is available within the area now occupied by the Indians land suitable for this purpose.

My only thought in writing at this time is that from the information in hand, and my personal knowledge of the situation, I feel that a real service can be rendered these Indians in resettlement or rehabilitation.

Mr. Baker will present the results of his survey to you after conferring with his office in Washington.

Sincerely yours,

James A. Gray,
Head Agricultural Economist

JM
CC Mr. Baker

REFER IN REPLY TO THE FOLLOWING:

EXHIBIT " N "

ADDRESS ONLY THE COMMISSIONER OF INDIAN AFFAIRS

L-Sub.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

Mr. Fred A. Baker,
Washington, D. C.

My dear Mr. Baker:

You are directed to proceed to Raleigh, Pembroke and to other points in North Carolina, for the purpose of making a preliminary investigation of the feasibility of setting up a land purchase and work relief project for the rehabilitation of the Siouan Indians of North Carolina, for presentation to the Resettlement Administration.

Mr. W. A. Hartman, Regional Director, Resettlement Administration, is at Raleigh, North Carolina , and you are directed to confer with him and to secure his cooperation and authorization for such a project, if it is found desirable and feasible.

A considerable number of the Siouan Indians are living in and near Pembroke, in Robeson County, North Carolina, and the Office is advised that they desire to secure the use and control of land in that county, a major portion of such land to be suitable for agriculture in the raising of cotton, tobacco, subsistence gardens and pasture for domestic stock. They have for many years been engaged in this class of agriculture as "tenant" or "crop-share" farmers, and it is desired to secure land for them which can be assigned to individual Indians, the fee title to remain in the United States.

Mr. Joseph Brooks, whose address is Box 1022, Pembroke, North Carolina, has visited the Office on behalf of these Indians and states that land suitable for Indian use can be purchased in Robeson County. He states that he will lend every assistance possible in this work and will secure the assistance of other Indians if necessary. Any tract of land set up as a purchase area should be one upon which the Siouan Indians would go and establish homes; consequently, they should be consulted as to their desires. Mr. Brooks states that they want agricultural land which can be assigned for their use in areas of from twenty to forty acres perfamily, for the actual growing of crops, this to be supplemented with sufficient and suitableland to be used for grazing and pasturage for domestic stock.

The object sought by this preliminary survey is to determine whether a body of land suitable for the use indicated can be acquired; what measure of relief the acquisition of such a tract will afford by reason of work required to make it fully available, and in what degree this work program will tend to take Indians off the relief rolls.

Such a purchase and relief program must meetwith tentative approval of the Regional Director of the Resettlement Administration before it can be presented for definite approval by the Division of Rural Land Planning and Development.

It is requested that your report of work done under this assignment be presented prior to June 28.

Sincerely yours,

(Signed) William Zimmerman,

Assistant Commissioner.

EXHIBIT " O "

Statement of Personnel needed in Work Relief Program for the Indians of Roberson County, North Carolina

1. Land Appraisers.

2. Soil Analyst.

3. Agricultural Economist.

4. Civil Engineers for surveying boundaries of Tracts and areas to be assigned individual families; also for laying out roads through tracts and for other duties incident to the work.

5. Project Superintendent.

6. Foremen of operations.

7. Tractor operators. Truck Drivers.

8. Architects for planning of homes.

9. Superintendents of construction of homes and farm buildings.

10. Carpenters.

11. Brick Masons.

12. Blacksmiths

13. Clerical, timekeepers, bookkeepers and other clerical labor.

14. Unskilled labor largely to be used on work incident to clearing land, ditching, roads, construction of homes and other tasks of like character.

Note:- This is not intended to be a complete list of the employees needed in the carrying out of the proposed project. It is intended to be suggestive of the kind and character of the labor to be done merely. By far the greater part of the work will be done by unskilled workers.

COPY
from
THE NATIONAL ARCHIVES
Record Group No. 75

Central Classified
File

Resettlement Property Dockets:

1. Fred a Baker Report, dated July 9, 1935

Exhibits A & B
Exhibit K - letter dated June 28, 1935 from James A. Gray to Dr. L. C. Gray

Exhibit M - Letter dated July 8, 1935 from Joseph Brooks to John Collier

Exhibit N - Letter from William Zimmerman to Fred A. Baker

Exhibit O - Statement of personnel and work relief program
- Handbook of American Indians dated October 1935 by John Permain

Memorandum to the Commissioner of Indian Affairs from the Asst. Solicitor, Dept. of the Interior, dated April 8, 1935.

Authorization of Baker Report from Asst. Commissioner (Indian Affairs) to Fred A Baker, dated June 13, 1935.

Approval of program by Joseph Brooks to the Commissioner of Indian Affairs, dated July 8, 1935

Reply by Joseph Brooks dated November 4, 1935.

Memorandum from Resettlement Administration to Mr. Grorud from E. R. Henson, Chief Economic & Social Section, Rural Settlement Div., dated December 16, 1936.

Letter to the Commissioner of Indian Affairs from Joseph Brooks, dated September 9, 1935.

Letter of agreement to take property to Commissioner of Indian Affairs from Joseph Brooks, dated September 9, 1935.

Document from Commissioner Collier - Dkt. No. 45499-37

Act of November 2, 1921, 42nd Statute, P. 208, Title 25, Sec. 13 US. Code.
Expenditures of B.I.A. Appropriations for Benefit of Indians Throughout U.S.A.
Act of June 18, 1934, 43 Statute, P. 984 - Indian Reorganizational act...
Defining Indians --- one half or more Indian Blood... for Purposes of Act.
Letter dated April 11, 1935 from Joseph Brooks to Commissioner John Collier (Indian Affairs).

Letter dated May 29, 1935 from Joseph Brooks to John Collier

Rexford G. Tugwell, Personal Asst. to President (FDR) presented the proposal to the President (NEED DATE)

Proposal was sent to National Emergency Council by the President. Was approved in 1935.

Memorandum to the Commissioner of Indian Affairs from Felix S. Cohen, Asst. Solicitor for the Secretary of the Interior. (NEED DATE)

REFER IN REPLY TO THE FOLLOWING:

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

11 Sub

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

July 6, 1936.

MEMORANDUM TO: Mr. Stewart.

Pursuant to your instructions I accompanied Mr. Brooks of Pembroke, North Carolina, to the office of the Assistant Director of the Rural Resettlement Division (Mr. Jenkins) at 11 a.m. this date for the purpose of permitting the impartial presentation of the matter of appointment of the Project Manager for the Pembroke, N.C., Rural Resettlement Project.

Mr. Brooks presented to Mr. Jenkins (in the absence of Dr. Carl Taylor) the fact that on July 15 the appointment of a Mr. Brandon as Project Manager, Pembroke, would be made, and that such an appointment appeared to be contrary to the best interests of the persons who were most concerned in the Pembroke Project, due to this Project Manager's close association with an extensive Mortgage and Investment Corporation operating in the State of North Carolina -- McNair (spelling perhaps incorrect). Mr. Brooks further stated that one reason for this allegation was the fact that Mr. Brandon was very active in the affairs which resulted in foreclosure of a number of mortgages within the Pembroke Project Area.

Mr. Jenkins stated to Mr. Brooks that the Washington Office of the Resettlement Administration acted only in a general supervisory capacity and that if he had a legitimate protest against the appointment of this Project Manager it should be stated in writing to the Regional Director at Raleigh, supported by statement of facts which were subject to backing by proof. Mr. Jenkins further suggested that Mr. Brooks transmit a copy of this protest to the Administrator of the Resettlement Administration and to the Commissioner of Indian Affairs together with a recommendation for the appointment of a Project Manager whom they considered better qualified to fulfill the position and the reasons for such recommendation. (It appears from a letter shown me by Mr. Brooks which he received from Mr. Pearmain that the subject of Mr. Pearmain's appointment to the position of Project Manager at Pembroke has already been taken up by Mrs. Roosevelt with Dr. Tugwell.

Mr. Jenkins indicated that the entire situation is one that should be first presented to the Regional Director at Raleigh and thence progress through the usual channels to the Washington Office of the Resettlement Administration.

Siowan

As an after-thought Mr. Jenkins telephoned the Appointment Division of the Resettlement Administration and was informed that Mr. Brandon (the person to whom Mr. Brooks and the people he represents object) had as a matter of fact already been appointed to the position of Project Manager at Pembroke, effective as of June 15, 1936, and was now on the active payroll. This was contrary to the information Mr. Brooks had at hand but is, nevertheless, authentic. Mr. Jenkins pointed out to Mr. Brooks that the fact that Mr. Brandon had been employed by this powerful Mortgage and Investment Company in North Carolina was no indication that he was not an impartial and thoroughly capable Manager for the Pembroke Project and that any allegations submitted to the Regional Director with a view to ousting Mr. Brandon and replacing him with Mr. Pearmain was a delicate situation which would require backing. Mr. Jenkins further ascertained from the Appointment Division that the recommendation supporting Mr. Pearmain's appointment to the managerial post of a North Carolina Project was principally supported by the recommendation of a Senator from Montana.

Upon the recommendation of Mr. Jenkins I made an appointment with Messrs. Roy Kimmel and Edwin G. Arnold, Assistants to the Assistant Administrator in charge of the Rural Rehabilitation Division for eleven a.m. tomorrow morning (July 7) with a view to securing further advice to Mr. Brooks in the premises.

Confidential: My recommendation is that the Indian Office take no action of any nature in this matter until receipt of a copy of any written complaint which may be submitted by Mr. Brooks or the people he represents, to the Regional Director at Raleigh. I have no personal knowledge of the matter, but the present appointee to the position of Project Manager at Pembroke appears to be so closely affiliated with a State-wide organization in North Carolina that no action should be taken until some evidence in writing is presented to the Indian Office as a justification for a protest.

Groome

EDWIN L. GROOME.

L-Sub
K L G

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As an after-thought Mr. Jenkins telephoned the Appointment Division of the Resettlement Administration and was informed that Mr. Brandon (the person to whom Mr. Brooks and the people he represents object) had as a matter of fact already been appointed to the position of Project Manager at Pembroke, effective as of July 15, 1936, and was now on the active payroll. This was contrary to the information Mr. Brooks had at hand but is, nevertheless, authentic. Mr. Jenkins pointed out to Mr. Brooks that the fact that Mr. Brandon had been employed by this powerful Mortgage and Investment Company in North Carolina was no indication that he was not an impartial and thoroughly capable Manager for the Pembroke Project and that any allegations submitted to the Regional Director with a view to ousting Mr. Brandon and replacing him with Mr. Pearmain was a delicate situation which would require backing. Mr. Jenkins further ascertained from the Appointment Division that the recommendation supporting Mr. Pearmain's appointment to the managerial post of a North Carolina Project was principally supported by the recommendation of a Senator from Montana.

Upon the recommendation of Mr. Jenkins I made an appointment with Messrs. Roy Kimmel and Edwin G. Arnold, Assistants to the Assistant Administrator in charge of the Rural Rehabilitation Division for eleven a.m. tomorrow morning (July 7) with a view to securing further advice to Mr. Brooks in the premises.

Confidential: My recommendation is that the Indian Office take no action of any nature in this matter until receipt of a copy of any written complaint which may be submitted by Mr. Brooks or the people he represents, to the Regional Director at Raleigh. I have no personal knowledge of the matter, but the present appointee to the position of Project Manager at Pembroke appears to be so closely affiliated with a State-wide organization in North Carolina that no action should be taken until some evidence in writing is presented to the Indian Office as a justification for a protest.

KENYON L. BROOKS.

T-LE-4

LAND DIVISION,
OFFICE OF INDIAN AFFAIRS,

May 7, 1936.

COPY TO:

Mr. Zimmerman.	Mr. Herrick.
Mr. Cohen, Solicitor's Office	Mr. Harper.
Mr. Daiker.	Mr. Dodd.
Mr. Armstrong.	Mr. Crosthwait.
Mr. Critchfield.	Extension Division.
Dr. Cooley.	Organization Division.

Note: The original of this memorandum, with copies attached, was sent to Mr. Collier.

J. M. STEWART,
Director of Lands.

Elg

Stewart

INITIALING COPY - FOR FILE

REFER IN REPLY TO THE FOLLOWING:

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

L-Sub

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

May 1, 1936.

MEMORANDUM TO: Mr. Stewart.

Pursuant to your verbal instructions I accompanied Mr. Joseph Brooks, Representative of the Siouan Indians of North Carolina, to the office of Dr. Carl Taylor, Director of the Rural Resettlement Division, Resettlement Administration, for a conference at 3 p.m. April 30.

I introduced Mr. Brooks to Dr. Taylor as "the representative of a large group of people in Robeson County, North Carolina, who found themselves direly in need of assistance from the Federal Government and it appeared that the Rural Resettlement Division was the only agency at the present time that might be able to render appropriate assistance, inasmuch as the group in question had no recognized standing for consideration as Indians or for recognition and assistance under any of the laws which permit the extension of assistance to recognized Indians, both individual and organizational".

Mr. Brooks then stated to Dr. Taylor that they were very anxious to make of the Resettlement community at Pembroke, North Carolina, a strictly Indian community, composed of Indians of half blood or more. Mr. Brooks stated that it was his opinion that there were at least five hundred such families within the cosmopolitan group of so-called Indians residing in Robeson County.

Dr. Taylor stated to Mr. Brooks that under the law governing the setting up of Resettlement Administration Projects similar to that at Pembroke, North Carolina, there could be no discrimination against race, creed or color in the selection of families to be placed within the project area; that a person of 1/32 Indian blood would and must be given the same opportunity as might be granted a full blooded Indian; that, while projects were set up and under the law must be open with equal opportunity to white, mixed and negro races, nevertheless through the process of actual selection of families to be placed within a certain project it was thus possible without violating the law to establish white community projects, or, for example, an Indian project, and negro Resettlement projects.

Dr. Taylor further stated that while it cannot be in writing, it was nevertheless tacitly understood by everyone concerned that the Pembroke, North Carolina, Resettlement Project was an Indian Project; that selection of families to be placed within this project would be made by Mr. Columbus Andress of the Regional Director's office at

Raleigh, North Carolina, and that selection made would be from among the group whom Mr. Brooks represents, but that it was very doubtful that Mr. Andrews would adhere to the wishes of Mr. Brooks in the matter of selecting only families able to produce some semblance of proof as to being of one-half Indian blood or more.

Dr. Taylor emphasized to Mr. Brooks that the matter of determination of Indian blood was not a matter for their consideration or concern and that such consideration would not ordinarily enter in any way into the matter of selecting families from the Robeson County group to be placed on the Pembroke County project.

Dr. Taylor suggested, however, that Mr. Brooks go to Raleigh and have a personal conference with Mr. Andrews in the Regional Director's office with a view to setting forth his desires as to which families of the group he represented should be selected for placing upon the Pembroke project, and Dr. Taylor gave Mr. Brooks a very cordial but non-committal letter of introduction to Mr. Andrews and did request therein that he give sympathetic consideration to any matters that Mr. Brooks might bring to his attention. No mention was made in this letter about any method or procedure to be followed in the selection of families to be placed on the Pembroke project. As explained above, in view of the law it was obviously impossible for Dr. Taylor to give any indication to Mr. Andrews that preference was to be given the selection of blooded. Indians. Dr. Taylor informed Mr. Brooks that the extent of his success in having Mr. Andrews select Indians of half blood or more would depend largely upon the influence of his case as he might state it in his forthcoming personal conference with Mr. Andrews which will probably take place on Monday.

Dr. Taylor further informed Mr. Brooks that a "cooperative" enterprise would be set up for that community but that the nature of it had not yet been finally determined; also that it was definitely assured that a community recreational center would be built within the Pembroke project area.

I believe the foregoing covers the entire scope of the conference held with Dr. Taylor yesterday afternoon.

EDWIN L. GROOME.

ENROLLMENT of SIOUAN INDIANS of LUMBER RIVER

NORTH CAROLINA.
Approved by Siouan Tribal Council,
May I8th, I935.

District.
Piney Grove, Councilman---------- T.H.Locklear.

Names. heads of family.	No. in family.
Neil A. Hunt.	6
Earl Oxendine.	3
Buddie Freeman.	4
K.Oxendine.	9
Vance Jones.	I3
Judson Hunt.	5
T.H. Locklear.	I4

OFFICE OF INDIAN AFFAIRS
RECEIVED
JUL 18 1935

District

St. Annah, Councilman ----------A.C. Locklear
James E. Bell Sr.
Joseph Brooks
A.W. ,,
Ed. ,,
James E. Chavis
Eva ,,
Geo. J ,,
Lula ,,
Eliza ,,
Oscar ,,
Jasper ,,
Leonard ,,
Leander,, ,,
Z.R. ,,
Carl Clark
Annie ,,
John N. Cummings
Jas. ,,
Lacy ,,
Foy ,,
Ottomis ,,
Peter Dial
Ransome ,,
Joe ,,
Frank Graham
Rufus ,,
Duncan ,,
Carlie Jacobs
Effie A. ,,
Molbert ,,
Clearence ,,
Marvin ,,
Rose Ellen ,,
W.N. ,,
W.J ,,
Elija Jones
Jodia ,,
Richard ,,
Riley ,,
A.C. LOcklear
Doughlas ,,
Paterson ,,
Leak ,,
Dewey ,,
William ,,
Leonard ,,
Gillis ,,
Jimmie L, ,,
Albert ,,
Vance ,,
Alvin ,,
Harley
Harleywell ,,
French ,,

Roosevelt. Lowry.
Jim Q. ..
Silas. ..
Mary. (Lowry) Locklear.
Condarie Morgan.
Elias. Oxendine.
W.K. ..
Jiles. ..
Joseph W. ..
John W. ..
Bryant. ..
Robert. ..
Rufus. ..
Mae. ..
Henry. ..
J.W. Sampson.
James. Sanderson.Sr.
Walter. ..
Henry.
Prescot ..
W.P. Strickland.
J.P.
W.B. ..
Jim. Taylor.
B.T.Clark.
Jiles. Hunt.
Earnest. ..

District.
New Bethel. Councilman.----------A.A. Oxendine.
R.B. Locklear.
Elie. Sweat.
Curtice. Oxendine.
Clyde HUnt.
Falk Hunt. Jr.
Earl D. Oxendine.
Marth. Chavis.
W.P.Hunt.
Kate Hunt.
Leler Locklear.
Lonnie Oxendine.
Alfred Hunt.Sr.
W.G.Locklear.
Wesley. Locklear
W.F. Freeman.
Thomas Spaulding.
J.R.Spaulding.
D.L. ..
Jane. Lowry
H.B. Hunt.
W.O.Strickland.
Walter Johnson
Mebrey Oxendine.
Jim. Hunt/
Wm. Locklear.
Lucy Oxendine.
A.A. Oxendine.
Soloman ..
Giles ..
Dunk. Cummings.
Eles. Jacobs.
Nedham. Sanderson
Felton Locklear.
Richard Hunt.
Rufus Sweat.
Mary Jacobs.

District.
Deep Branch. Counci lman. ---------- ------J.H. Hunt.

Luther Sampson.
Anna ..
R.O. ..
Olliver ..
Tracy ,..
James ,,
Alphonso ,,
Ohnie Oxendine.
Billie ,,
Fletcher ,,
Franklin Hunt.
Henderson ,,
Gordon ,,
JT. ,,
Frank Dimery.
Harrison Ones.
Neil ,,
Albert Lowry.

District,

Leland Grove. Councilman----------Jnnie Cummings.
Frank Hunt.
David ,,
James ,,
N.O. ,,
Tommie Chavis
Raymond ,,
Robert ,,
R.C. ,,
Letha ,,
Johnie Cummings.
John L. ,,
Thomas Mc Girt.
J.T. ,,
Susie Ann.,,
Hughy Locklear.
Ile ,,
H.L. ,,
Nomer ,,
Geo. Thompson
John Brigman.
Jimmie Jones.
Governor Locklear.

District
Macidonia, Councilman----------Arch Locklear.

Lonie Bullard.
Cleo ,,
Walter ,,
Lacy Brewer
Edson ,,
Arch Locklear.
Martine ,,

District

Prospect, Councilman---------- Shelton Bullard.

Mozella Barton.
Mack ,,
Shelton Bullad.
Belton ,,
Rubin ,,
Wilbert ,,
Sumpter ,,
Colonel ,,

Effie Ann Brayboy
Geo. ,,
Thomas Clark
Onnie Dial.
John Goins
Tom. ,,
Plummer Dial
John H. Hammonds
Elwood Jones
Elias ,,

Angush (,,) Jacobs
Mary Locklear
Grealey ,,
J as. H. ,,
Roten ,,
Archie ,,
Lillie Ann ,,
Crawley ,,
James ,,
Angush ,,
Quiller ,,
Amas ,,

Vondie ,,
Boxley ,,
Barry ,,
McLellan ,,
Henry ,,
Ashley ,,
Polly ,,
Briscoe ,,
Ames ,,
Hessikah ,,
Malindia ,,
Julia ,,

John McMillan
Dorthy McGirt
Elias Strickland.

District

Barker Ten Mile---------- Henry McGirt, Councilman.
Jas. W. Bell
Hubert Bullard.
David Buttler.
Bennie Chavis.
Hob ,,
Henry K. ,,
Clearence ,,
G.W. ,,
Roy ,,
Wortie ,,
W.A. ,,
Will Carter
G.A. ,,
Will Canady
R.C. ,,
Quinnie Hunt
Juston ,,
Luther ,,
G.T. ,,
Emery ,,
O.H. Hammonds
Stony ,,
Luther Jacobs
K. Knight
Luther Locklear
McKinley ,,
Hewey ,,
David ,,
Jasper ,,
Maxie M. ,,
Henr y McGirt
Marvin ,,
Hewey Smith

District
Sycamore Hill, Councilman ----------Charlie Locklear.
Claudie Bullard
Willie Brewer
Riley Jones
Johnnie ,,
Willie ,,
Sherman Knight
Thomas ,,
Sherman ,,Jr.
Oscar Locklear
Jas. L. ,,
Canada ,,
Malcum ,,
Sandy ,,
W.C, ,,
Leonard ,,
Charlie ,,
Bertha Lee Lowry
Christene Lucas
Dink McGirt
Whitefod Strong
Foster Worrix
Oscar Revels
Smithie Locklear

District.
Mt Elime, Councilman ----------Charlie Oxendine.
Bob Bullard
Levi Brewer
Roy Lee. Chavis
Hewie P. ,,
Clearence Cummings
Mollie ,,
Shepherd ,,
Enoch Cummings
E.L. Dial
Roy ,,
Dod ōnes
Peggie Jones
Worth ,,
William ,,
Analiza ,,
Annie Bell ,,
Eb Locklear
Clara ,,
Frank ,,
Colon ,,
Mack ,,
Author ,,
Charlie ,,
Carlie ,,
R.M. ,,
Leander ,,
J.A. ,,
Doud ,,
John B ,,
ōhn ..
Adam ,,
Vonnie ,,
David ,,
Amond ,,
McKinley Maynor
Joseph ,,
D.R. ,,
Turner ,,
Bruce Oxendine
Robert ,,
C.L. ,,
Lacy Lee ,,
D.W. ,,
Luther ,,
E.L. ,,
Jessie ,,
Frank ,,
Wheeler ,,
Johnnie ,,
Geo. Pevia
Ashley ,,
Alford ,,
Walter Rogers
Barfield ,,

District

Burnt Swamps. Councilman---------- ----Cloyd Chavis.
Clearence Blanks
Mollie Brooks
Peter Brooks
Oquinn ,,
Cloyd Chavis
Johnie ,,
A.A. Carter
Mollie Chavis
Bennie Clark
Woodroe Dial
J.G. Cummings
Zodan Bullard
William Jones
Peggy ,,
McLearn Jacobs
Polly ,,
Jerry Locklear
Geo. ,,
Rubin ,,
Jane ,,
J.P. ,,
W.C, ,,
Elizabeth ,,
Chesley ,,
S.L. ,,
Jonnie ,,
W.H. ,
Boss ,,

J.A. ,,
Donnie ,,
Lonnie ,,
Bert ,,
Richard ,,
Paisley ,,
Willie ,,
Elie ,,
Joe ,,
Peter ,,
Adeline ,,
H.B. ,,
Aron ,,
Evander ,,
Deller ,,
Elmer ,,
Ader Belle Lowry
Fannie ,,
Betty ,,
Sims ,,
N.A. ,,
R.M. ,,
B.E. ,,
Maulbery Maynor
Mennie Hagins

#2#

Maggie Oxendine
T.H. ,,
Earnest ,,
Enoch ,,
Will ,,
Soloman ,,
Atlas ,,
Arpie ,,
Duckery ,,
Walter ,,
J.G. ,,
C.E. ,,
Flora C. ,,
Jasper ,,
James S. ,,
Sarah Thomas
Henry Smith
Hilton Scott
Zealey ,,
C.N. Smith
Author Spaulding
Levi Ammons
Dock Wilkins
S.H. ,,
L.H, ,,
W.B. ,,
Lock ,,
Welton ,,
Henry B. ,,
D.H. ,,
Elvie ,,
Jessie Wilson

District.
Bethel Hill.Councilman.----------D.L. Lowery.
J.A. Bell
Dunken..
Claud,,
John,,
J.B.,,
Jasper,,
S.M.,,
Charlie,,
W.B.Bowen
Rufus,,
Noah Brewer
Rhoda Brewington
W.O. Burnett
Norman Chavis
Luther Chavis
Bennie,,
A.R.,,
S.V. Emmanuel.
Bennet,,
Authur,,
Willie H.,,
Carson Jones.
Offie,,
JL. Hammonds
J.E. ,,
Council ,,
Authur ,,
John ,,
Alex ,,
Emma Locklear.
Norman ,,
David ,,
Dannie ,,
Bessie Leola ,,
Isom ,,
Charlie Oxendine.
Clarence Lowery.
Norman ,,
D.L. ,,
Henry D. ,,

H.P. Revels.

(14)

No. 2

H.S. Sanderson.
Docie Smith.
George H. ,,
Carrah ,,
Leonard(Worrex) Worriax.
Lee. Jacobs.

District.
White Hill, Councilman , ----------Josiah Locklear.
Aventer Bayboy
H. ,,
Aleck ,,
Archie Brooks
Une ,,
W.B. ,,
Ruthie ,,
Dalcedia ,,
John ,,
Henry ,,
Doughal ,,
Lawson ,,
Relerford ,,
Sam ,,
Colon ,,
Fletcher Brewer
Roy L. Chavis
Polly Deese
Shaw ,,
Archie ,,
Dannie ,,
Cleotis Dial
Harvie ,,
Clifton ,,
Peter ,,
Joe ,,
Kinnie Driggers
Rozetta Brooks
Walter Davis
Ule Cummings
Zelbed Jones
Jonnie Locklear
Jas. ,,
Elie ,,
Curtis ,,
Charlie ,,
Walter ,,
Walter ,,Jr.
Jas. ,,Jr.
Patrick ,,
Angush ,,
Sandy ,,
Elizabeth ,,
Unnie ,,
Eddie ,,
Lather ,,
Geo. ,,
Elisha ,,
Albert ,,
Britten ,,
Willie ,,
Luther ,,
Willie ,,Jr.
Willie F. ,,
Oscar ,,

16

#2

Barley Locklear
William ,,
Marvin ,,
Kagal ,,
Joe ,,
William McMillan
Sallie Oxendine
Roy ,,
Willie ,,
Marvin ,,
Heck ,,
H.H. ,,
Britin ,,
Archie B. ,,
John Thompson
Wiley ,,
John A. ,,
Sandy Strickland
William Dial
George Dial

Weldon Brooks
June Rodgers
Jordan Revels
Romie Jacobs

District

Saddle Tree, Councilman,---------- Riley Locklear
Bertha Blanks
Hecktor Brooks
Garfield ,,
Polly Bryant
Chrestopher Burnette
Thomas Brooks
Boss ,,
Preston ,,
William Carter
Dunk Clark
Spurgeon Dial
Luther ,,
Montgumery ,,
Warren ,,
Lucy A. ,,
Lilian ,,
Irene ,,
Rossie Frecman
Attelia Hammonds
Luke Jones
Amos Jones
Henry ,,
Chester ,,
Mary Jane ,,
William ,,
Oscar ,,
Dorella ,,
Jackson ,,
Dave ,,
Robert Locklear
Hozey ,,
Asbury ,,
Odell ,,
H.L. ,,Sr.
Hl ,,Jr.
Ready ,,
Luther ,,
Lillie ,,
Jasper ,,
Kattie ,,
Lloyd ,,
Marshal ,,
Riley ,,
Wilmer ,,
Quinnie ,,
William H. ,,
Marvin ,,
Purvis ,,
Willerford ,,
Author ,,
W.D. ,,
Ambrose ,,
Thomas ,,
Addie Locklear
Printes ,,
Dossie ,,
Prather ,,

(18)

#2#

Julius Locklear
Jimmie ,,
J.R. Oxendine
Graham ,,
June ,,
Sallie ,,
Author Miller
Bent Lowry
Thurry ,,
Sandy ,,
Howard ,,
Della ,,
Lenora ,,
Leak ,,
Thornton ,,
Lonnie W. Revels
Novella ,,
Stinson ,,
Rosevelt ,,
Elenora ,,
Duckery ,,
Anna Mae ,,
G.B. ,,
Savastion Sampsom
Worth Sampson
Effie ,,
Iler ,,
Van H. ,,
Narcissus ,,
Joe ,,
Luther ,,
Boncil ,,
William Tyner

District

Philadelphia, Councilman, ----------Hezzie Deese
Leonard Bullard
Hartford ,,
Annis Chavis
Anderson ,,
Willie A. ,,
Joe ,,
Hezzie Deese
Clayton Carter
David Hunt
Boss Jacobs
Danial Jas. Jacobs
Junius ,,
Leonard ,,
Samuel ,,
Elton ,,
William ,,
Tom Anderson Locklear
Carson ,,
Liza ,,
Willie B. ,,
Walter ,,
Gustie ,,
Garner ,,
Anderson ,,
D.L. ,,
John L. ,,
Henry ,,
Duncan L. ,,
John B. ,,
Henry ,,
Dannie ,,
Izah ,,
Parker ,,
Frank Jacobs
Henry B. Lowry
Zion ,,
Rosie Lee ,,
Jimmie ,,
Jonnie Maynor
Willie ,,
Laurence ,,
Sim ,,
Chesley ,,
Claudie Oxendine
Delma ,,
Noah Bullard.
Aaron Revels
Lenzie ,,
Eddie Goins
Rommie Strickland
John ,,
Braxton ,,
William ,,
Robert Taylor
Andrew Wilkins
Waitres Wilkins
Dock Winn,

No. 2

Mary Winn.
Archie Woods.
Noah ,,
Barbra ,,
Hubbard ,,

District.

Cherokee Chapel. Councilman, ----------Elwood Oxendine.

#####

Fernie Barton.
Porter ,,
Lucy Blue.

Anderson Brewer.
Minnie ,,
Willie L. ,,
Peter bullard.
Kittie ,,
Alvin Chavis.
Henry ,,
Dannie ,,
A.B. ,,
Esther ,,
William ,,
Hubert ,,
Lesslie Edwrds.
Roy Locklear.
Richard ,,
Pearson ,,
Laurence ,,
Easter ,,
Pevia ,,
Enoch ,,
Elias ,,
Tannie ,,
Joseph ,,
George E. ,,
Advil Lambert.
C.E. Oxendine.
Luther Oxendine.
Paul Strickling.
Alexandre ,,
Silas ,,
Henry Woods.
Henry Jr. ,,
Curtis ,,

Holley Wood. Councilman, ----------Hecter Locklear.

Gorden Berry.
Willie F. Hunt.
Henry ,,
D.C. ,,
Hector Locklear.
Haywood ,,

23

District.

Smyrnia.Councilman. ----------Eddie Oxendine.
Bullard
Anderson Bullard.
John O. ,,
Dock Carter.
Lizzie ,,
Doyle Hammonds.
Frank ,,
John T. Haggens.
Norman Harden.
Colen Hunt.
Verdel Hunt.
Robert ,,
Johnnie ,,
Van ,,
Henry ,,
James A. Fields.
James P. ,,
David ,,
Foster ,,
Dee ,,
Henry ,,
Atelia Jacobs.
Fred John on.
N. R. Morgan.
Willie Marcer.
Eddie Oxendine.
Dannie ,,
James J. ,,
Pemly Locklear.
Luther ,,
Madrac ,,
Barnie ,,
Foster Revels.
D. J. ,,
R.L. Strickling.
A. Stewart.

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Central Classified
File

No. 1

Sunday June 16. 1935 Supt. F. A. Baker
Arrived at Pembroke, N.C. Drove up to the
Red Banks Section, Visited the home of
Pshaw Oliver "Tenant" Farmer on Red Banks
farm, Continued by Patricks Lockleers farm
Sim Bullards farm, Prospect School house,
St. Annas Church. back to Pembroke, distance
30 Miles
Monday June 17, Meeting at White Hill Church
at 1:30 P.M. approx 100 present from the
Indian districts Holly Wood, Sycamore Fill.
White Hill. Supt Baker, laid before the three
districts land re-settlement program. With
possible re-embursement to the Gov. over long
period of time (20-40) years. Several leading
citizens from each district heartily endorsed the
plan on the floor, and stated such a program would
in their opinion be the salvation of the Indian race.
every Man and Woman Present unanimously approved
the program and favored the Wheeler-Howard act.
Visited 4 Indian Homes one project of land
covered a distance of 70 Miles in Robeson and
Scotland Co. and also visited Maxton, N.C.
The Mt. Present was a fairly good representation.

no 7

of the ~~of~~ the most of the Indians in the three districts. and it should be kept in mind that Monday is ~~the first~~ one of the main work days of the week and as these districts is practically all "Share Crop" Farmers. And Several Could not get permission to stop work on the farm long enough to attend meeting.
They was also a crew of ~~o~~ Indians Working on a relief Crew about ½ of a mile away and they attended the meeting. Which ~~(and~~ was about 2 hrs. and they had to come to the job on a extra day and make up the time lost, and pay the Foreman, (Mr Oakley McMillian) for his extra time from their own pay. These Men received 15-¢ for Lower 30 hrs. a Week.

Tuesday June 18. Meeting appointed Piney Grove School House (Saddle Tree Township) About 1000 Indians Present. The Chairman introduced Mr Baker at 12:00 from which he met Several of the leading Indians of the district, Every body present Work Rightly in Favor of the Program, Including

No. 3

Mr. Lloyd Lowry who has opposed the Council in the past. He also suggested a tract of land for a Work Project which was accepted by Mr Baker in consideration Tuesday June 18 at 4:00 P.M. We met a large crowd of Indians at Barker Ten Mile School house (about 1500) Every body present expressed their appreciation for what the Gen. has considering for our comfort by a rising vote of thank, and several leaders of the District, including some of our preachers assured Mr. Baker, in highly approving words that they was sure the Gen. would not leave any thing on us if they would, Make the land available for our use.

Wednesday June 19, Entire day spent in looking at unencumbered land: 1st tract known as the Baker Tract - Sec. 3. Twp. 9 Range 2 East and making out Blank. The letter was done at Mr. Lemuel Lockhart's house. Indian Who lived up in going over the land.

2nd Tract Beaver & Lumber Co. Tract Burleigh - Lowry Tract On this tract 2½ hours. went over it thoroughly, also probable

No 4

a New (Log) house built by Burleigh Lowry, with the Idea in mind to determine the Cost of same. it should be considered that I actually 80 of the entire Cost of such a house is for Labor; that can be done by Indians in the Territory and they are very desireable. 3rd, Went over the Old Lock Shaw Tract near St Paul. this place is also desireable, and this consumed the day.

Thursday June 20. Meeting at Chuckchapel Church. (10:00 AM) Large Crowd of Indians from Robison Co. Scotland Co. and Hoke Co. they was only three Land owners present out of a Crowd of about 800 persons. they received the Program of Re-settlement with Speaches of thanks and assured Mr Baker they would work Night and day if the Govt would give them the Chance to own their own homes. General Spoke Criticizeing the Share Crop system and some spoke against treatment they received from their land lords, and the Credit system, this

No. 5

attitude was spoken in every meeting.
Thursday June 30, at 12:00 Noon. at
Mt. Airy Church in Burnt Swamp
Township Mr. Baker address a large
Crowd. Several of the Leading Indian
land owners spoke highly in favor
of Mr Bakers Program every body
present approved the program
by standing on their feet and prayed
that they might and prayed for the
Change all their lives to own their
homes but due to the share crop system
they never got enough ahead to buy anything,
especially land. but if they got a chance
to work and raise their own Goods they
they would be glad to help the Govt.
Friday June 31. Mr Baker went to
Raleigh in the forenoon. Meeting
at New Bethel Church. at 4:00 P.M. about
200 present, every Favored the Program.
the same as in previous meeting and
told Mr, Baker the great trouble was
the share crop system. and credit
system.

No. 6.

Saturday June 22, at 10:00 AM. Mr Robison
met with at least 2000 Indians at St. Arnaud
Church, about one mile from Pawnee,
Here in the Heart of the Indian Country
[illegible] highly [illegible]
and [illegible] glad that the Gent. had [illegible]
Mr Baker to ~~our~~ make [illegible]
approved their Application for the
Organization that [illegible]
[illegible] the Def[illegible]
[illegible] Mr Robison [illegible] Talking in [illegible]
behalf. There was the ~~[illegible]~~ [illegible]
[illegible] talking ~~[illegible]~~ [illegible]
The [illegible] of the [illegible] I am
Feeling well and [illegible]
[illegible] Sunday [illegible]
Elder [illegible] Tim
[illegible] Cable
[illegible]
at the [illegible] Sacrament of [illegible]
[illegible] of [illegible]

No. 7.

old Lock ~~House~~ Shop Department. Of-
Column Manager Johnson & Single Agent.
The Mc Nick Est. E.C. Brooks agent
Mrs Johnson Est. E.C. [illegible]
Insurance [illegible] Bal. [illegible]
Ex Department Bus. Est. [illegible]
agent. R.L. Calhoun [illegible]
Buttons [illegible]
Evening 7:30 P.M. [illegible]
Friendly all [illegible]
re-settlement Dragon [illegible]
Suggestions [illegible]
10:30 P.M.
Wednesday June 26, Called on Mr.
Singleton of Red Springs Business
Singleton land, then Mr. [illegible]
and Mr. Hodge, Concerning
Bearing Co. Lumber Co. Land.
Thursday June 27. Met Mr. [illegible]
Caldwell, Director of Colleges.

Return to Shirley Rm 107

PEARMAIN REPORT
NOVEMBER 1935

November 11, 1935

Report of

John Pearmain,
Assistant Regional Specialist -
Indian Rehabilitation
Division
Resettlement Administration: -

NOV 26 1935
64190

on

Condition of the

INDIANS OF ROBESON COUNTY, NORTH CAROLINA

RR NC 22

- Supplemental Data to be Attached to the Rural Resettlement Proposal Being Submitted by the Office of the Regional Director, Raleigh, North Carolina.

Indian Office Copy -
John Pearmain

5—849d

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

FILES

CAUTION!

Positively no papers to be added to or taken from this file, except by an employee of the Mails and Files Division.

PART NO. 1-A

U. S. GOVERNMENT PRINTING OFFICE 16—63289-1

FILE NO.

FILE NO. 64190 1935 Okla

DATA ON-(No. in Family-No. Families in House- No. of People in the House-No. of Rooms and Condition of House)

OFFICE OF INDIAN AFFAIRS
RECEIVED
NOV 20 1935

INDEX to Supplemental Data on the

INDIANS OF ROBESON COUNTY, NORTH CAROLINA:

Page #

A - Number in Family - No.of People in the House - No.of Rooms and Condition of the House.

B - Average Family Incomes (Cash Incomes).

C - House Needs for the Average Family.

D - Land Needs for the Average Family. - Summary - D.1.

E - Acreage in Crops.

Page #1 - Sub-index to People Interviewed and Reported Herein:

Pages #2 to #10 "1/3rd Croppers". (9)

" 11 to 28 "1/2 Croppers"...(17)

" 29 to 45 Farm Owners.....(13)

" 46 to 50 Other Indians....(6)

" 51 to 56 Whites Interviewed(4) - Total herein - 49.

Page #57 Population Figures by Races - Robeson County, North Carolina.
58 Births and Deaths " " -
59 Indian Births 89% of Total Births in Pembroke Township.
60 Rural School Enrollment.
61 No.of Inhabitants per Square Mile - Increase Last 10 Years.
62 Census Figures - Increase in Farm Tenants and ShareCroppers.
63 Value of Farms Decreasing.
64 Acreage in Crops - Robeson County - Census Reports.
65 Size of Indian Families above Other Races.
66 Condition of Present Houses.
67 House Needs for Average Family.
68 Land Needs for Average Family.
69 Tobacco - Cotton Allotments - Amounts Raised.
70 Labor and Materials Cost in Robeson County, N.C.
71 Interest Rates Excessive.
72 Miscellaneous - Corporate Land Holdings, etc....

Data on -
Number in Family - Number Families in House - Number of People in the House - Number of Rooms - and Condition of House.

With Name, Age, and Occupation of Each Householder given.

SOURCE Page, Name:-		Age	Occupat-ion....	No.in Family	No.of Families in the House-	Total No.in the House	No.of Rooms	Condition of House.
#3	Ulysses Chavis	32	Cropper	6	1	6	-----	Fair
#4	Shaw Dees	--	" (1/3)	8	1	8	4	"
#5	Harvey Dial	32	" (1/3)	7	1	7	-----	-----
7	D.L.Locklear	56	" (1/3)	9	3 plus	10	3	----/Needs
8	Jasper Locklear	47	" (1/3)	*11	1	10	5	Good, Rprs.
9	Jim Locklear	35	" (1/3)	6	1	6	1	Bad
10	Elwood Oxendine	35	" (1/3)	6	1	6	3	Bad
11	Leonard Bullard	39	" (1/2)	4	1	4	4	New $200 Cost.
12	Sheldon Bullard	51	" (1/2)	*13	2	16	5	Fair
13	H.K.Chavis	32	" (1/2)	3	1	3	-----	----
15	Steve Hammons	35	" (1/2)	9	1	9	4	Bad
16	Bosa Jacobs	--	" (1/2)	6	1	7	3	Good
18	Henry Locklear	58	" (1/2)	8	1	8	4	Bad
19	ParkerLocklear	52	" (1/2)	3	2	4	-----	Bad
20	WalterLocklear	49	" (1/2)	8	1	8	2	Fair
21	Sim Maynor	60	" (1/2)	11	1	7	3	Bad
22	Lindsy Revels	57	" (1/2)	11	1	11	3	Bad
23	Alex Strickland	58	" (1/2)	9	1	7	4	New
25	Andrew Wilkins	36	" (1/2)	10	1	10	4	New-Cost $200
26	J.W.Wilkins	--	" (1/2)	2	2	3	4	Good
28	Archie Woods	52	" (1/2)	6	1	6	3	Bad
29	James E.Chavis	39	Owner	3	2	7	3	Good
31	S.M.Bell	60	" *	4	2	8	4	----
34	Lee Brewington	--	"	5	1	5	5	Good
35	Joseph Brooks	31	"	5	2	6	4	Fair
36	Rutherford "	--	"	4	1	4	2	Bad
37	Nathaniel Dial	95	" (**)	2	4-5	12	3	Bad
38	A.C.Locklear	54	" *	5	2 plus	7plus	6	New
39	Bessie Locklear	--	"	8	1	8	4	Fair
40	Durant Locklear	--	"	9(9)	1	8	5	New
45	Andrew Woods	--	"	4	3	12	-----	***3Houses
48	Clarence Lowry	28	StatedRent	7	1	7	1	Fair
49	Eli Lowry	43	Laborer	10	1	10	3	Bad
50	LarenceMaynor	29	-------	7	1	7	3	Bad
				229	48	257	102	

~~34 Total as above - 7 - 1/3 Croppers; 14 - 1/2 Croppers; 13 Owners, etc.~~

34 Families with 229 members living at home = 6.76 in each at home.
(*Note:-Several families, as noted, have other members elsewhere.)

36 Houses having 257 people in them = 7.15 persons per house of 3.29 Rooms per house average, or 2.14 persons per room.

5-1/3 Croppers had 1 good, 2 Fair, and 2 Bad, Houses; 13 - 1/2 Croppers had 5 Good, 2 Fair, and 6 Bad, Houses; 8 Owners had 4 Good, 2 Fair, and 2 Bad Houses, Making 29 Houses of which 10 are Good, 7 Fair, 12 Bad.

(Page #66 herein)- Of 8 men present on 11/10/35, 7 said their houses were in bad shape, 1 said his was in good shape.

** Place being Rented. JGS.

A.

Data on -

AVERAGE FAMILY INCOMES (cash incomes): (from sales and labor performed.)

Source of Data-- Page #	NAME:	No.in Family	Total No.in the House	Tobac -co	Cotton	Misc.	Labor	Less All- Expen- -ses	Approx- imate Net Cash Income.
#3	*U.Chavis	6	6		$ 30.50		$42.50	?	$ 73.00
4	*S.Dees	8	8	Last year, after paying bills, had					100.00
4	*" "			This year, " " " "					000.00
8	*J.Locklear	11	10	After paying bills will have--					$200.00
11	**L.Bullard	4	4	$80. from crops....			$20.00.....		$100.00
13	**H.K.Chavis	3	3	"Will just get by" to first of year, then buy on credit again.					$ 50.00
15	**S.Hammons	9	9	After the crop will have about					$100.00
16	**B.Jacobs	6	7	$580..$300...$90..x 1/2=			$77...		$408.00
24	**J.Strickland	3	8	After paying bills, had left...					$ 85..,
25(1)	**A.Wilkins	10	10	" settling with landlord, had					$ 5.15
26	**J.W.Wilkins	2	3	$700. $100.		$44.	----	$420.	$424.00
35	***J.Brooks	5	6	$486. $....		....	....	$98.12	$387.88
36	***R.Brooks	4	4			$36.			(?--36.00
39	***B.Locklear	8	8	$ 65.	$201.30	$68.	$ 5.00	$119.	$220.20
45	***A.Woods	4	12	Gross income $846.....				$248.	$597.00
47(2)	B.Locklear	2	3	Gets $20. a month, 8 mo's.....					$160.00
48(3)	C.Lowry	7	7	Reckons he will clear around...					$200.00
49(4)	E.Lowry	10	10	Works about 1/2 time @ 12¢ per hour....					

54(5) J.R.Moore (white).....Overseer of the Fletcher Plantation, 1100 acres of tilled land, with 18 share-cropper tenents on the place, says that the average share-cropper on the place has about $100.0 "after paying what he owes...Said one man, with 10 acres of tobacco, and 20 acres of corn, cleared last year (and will again this year)-$700.00 --Says that last year 2 of his share-croppers "just about broke even" and that "about three 00.00 families will just about break even this year" 00.0

SUMMARY:

While only approximate - the incomes of above group total up about as follows:-

	- 3 - 1/3rd croppers (2yrs for 1) averaged		$ 93.00
17 - 1/3rd Croppers-	1 - 1/3rd " (on Fletcher Place) "		$100.00
averaged about $100-	1 - 1/3rd " (with 10 a. tobacco) made		$700.00
	- 1 - 1/2 cropper (A.Wilkins) made, clear		$ 5.15
6 - 1/2 Croppers	- 6 - 1/2 croppers had clear after debts		$195.00
had about $195.	-		
4 Owners, about $310.	- 4 Owners, after expenses, had clear, about		$310.00

(1) See copy his landlord's s/6.. (2) Laborer.. (3) Stated renter.. (4) Laborer
(5) See page #54 for details....

(B)

Data on -

HOUSE NEEDS FOR AVERAGE FAMILY:- Giving Number in Family - Number in the Household - No.of Rooms Now - No.of Rooms Needed - Cost of New House Wanted (if Money to Build were to be Borrowed from the Government) - Or Preference for Repairing Present House and Approximate Cost of Repairs Indicated (in some Cases):-

Source of Data PAGE#	Name:-	No.in Family	Total No.in the House	No.of Rooms Now..	No.of Rooms Needed	*House to Cost About$	If Repairs Wanted Instead of House, Approximate Cost of Repairs.
# 3	Ulysses Chavis	6	6	----	(Needs both House and **Land)		
4	Shaw Dees	8	8	4	----------		$200.Repairs.
7	D.L.Locklear	9	10	3	Wants Own House		Back-Foreclosed
8***	Jasper Locklear	11	10	5	----------		New Roof.
9***	Jim Locklear	6	6	1	3 Rms	$400-$450.	----------
10	Elwood Oxendine	6	6	3	4 "	$500.	----------
12***	Sheldon Bullard	13	16	5	~~5-Rms~~	~~$4000.~~	New RoofNeeded.
15	Steve Hammons	9	9	4	4 Rms.	$ 400.-500.	----------
18	Henry Locklear	8	8	4	4 "	$ 500.	----------
20	Walter Locklear	8	8	2	4 "	$ 500.	----------
21	Sim Maynor	11	7	3	4 "	$600.	----------
22	Lindsey Revels	11	11	3	5 "	$ 800.	----------
23	Alex Strickland	9	7	4	4 "	$ 500.-600.	----------
26	J.W.Wilkins-****-	2	3	4	5 "	$1000.	----------
28	Archie Woods	6	6	3	3 "	$ 500.	----------
29	James E.Chavis	3	7	3	4 "	$ 550.	----------
31-67	S.M.Bell ***	4	8	4	4 "	$ 500.	----------
35-67	Joseph Brooks	5	6	4	4 "	$ 500.	----------
67	Mrs." Brooks	5	6	4	5 "	$ 850.	----------
48	Clarence Lowry	7	7	1	4 "	$ 700.	----------
49	Eli Lowry	10	10	3	4 "	$ 700.	----------
50	Lawrence Maynor	7	7	3	3 "	$ 500.	----------
---67	Warren Dial	7	7	(70)	5 "	$ 850.	----------
---67	Riley Locklear	9	9	--	5 "	$ 600.	----------
---67	Norman Locklear	10	10	--	5 "	$ 800.	----------
---67	James Locklear	5	5	--	4 "	$ 500.	----------
Totals:-26 as above..		195	203	(70)	(92)	$13,875.	
Averages.(corrected).		7.3	7.9	3.3	4.2	$ * 630.70	

Page #66 - Out of 11 men present at A.C.Locklear's on 11/10/35 and voting on whether they would rather have their (present) houses repaired at a cost of $100. to $200. each,or have the Government build them new houses at around $500. each - the vote was as follows:-

1 said he would rather have a new house;
2 said they "would like it either way" ;
8 said they would rather have their present houses repaired.

* Notes:-None of their present houses have any plumbing or electricity
**Many Indian families are in need of both houses and land.See later.
***Several families,as noted,have other family members elsewhere.
****J.W.Wilkins was only man to ask for electricity & plumbingInNewHouse.
See Page #67 for results of discussion of group of 7 on cost of new houses.

Data on -

LAND NEEDS FOR AVERAGE FAMILY - No.in Family - No.in Household - Present Acreage Tilled - Present Total Acreage - No.of Acres of Tilled Land Needed - No.of Acres of Woodland Needed - Total Acres Needed.

Source of Data: Page:	Name:	No.in Family	Total No.in the House	Present Acreage Tilled	Extra is Woodlot-Present Acreage Total	No.of Acres Tilled Land Needed	No.of Acres Wood-land Needed	Total Acreage Needed.
#3	*Ulysses Chavis	6	6	15	28	20-25	....	.....
4	*Shaw Dees	8	8	26.2	....	....	....	.....
5	*Harvey Dial	7	7	26.	....	....	....	.....
6	*Mrs.Ellen Jacobs	-	-	36.	....	....	....	.....
7	*D.L.Locklear	9	10	50.	53	....	....	.....
8	*Jasper Locklear	11	10	35	....	40	....	.....
9	*Jim Locklear	6	6	--	....	30	....	.....
10	*Elwood Oxendine	6	6	--	....	18	7	25
11	**Leonard Bullard	4	4	23	....	23	....	.....
12	**Sheldon Bullard	13	16	90	....	45-50	....	.....
13	**H.K.Chavis	3	3	25	....	....	....	.....
14	**Hessie Dees	-	-	34.5	40	....	....	.....
15	**Steve Hammons	9	9	26	....	26	"Mostly	Cleared"
16	**Boss Jacobs	6	7	30	30	....	....	.....
17	**Offie Jones	-	-	45.7	....	....	....	.....
18	**Henry Locklear	8	8	--	....	40	....	.....
19	**Parker Locklear	3	2	29.2	....	....	....	.....
20	**Walter Locklear	8	8	....	....	40	....	.....
21	**Sim Maynor	11	7	....	....	40	10	50
22	**Lindsey Revels	11	11	....	....	40	15	55
23	**Alex Strickland	9	7	....	....	25	15	40
25	**Andrew Wilkins	10	10	24.3	....	....	....	.....
26	**J.W.Wilkins	2	3	24.	....	25	....	.....
28	**Archie Woods	6	6	....	....	20	10	30
31	***S.M.Bell (2)	4	8	20	61	20	15	35
34	***Lee Brewington	5	5	30	40	....	....	.....
35	***Joseph Brooks(2)	5	6	5	5	15	10	25
36	***RutherfordBrooks	4	4	4.3	8.3	....	....	.....
37	***Nathaniel Dial	3	12	22	60	....	....	.....
39	***Betsie Locklear	8	8	20	30	25	10	35
40	***Durant Locklear	9	8	26	50.4	50	20	70
41	***R.M.Lowry	-	-	17	39	20	....	.....
44	***John R.Oxendine	3	3	15	30	....	....	.....
45	***Andrew Woods	4	12	25	30	....	....	.....
48	(1)Clarence Lowry	7	7	....	....	15	10	25
50	Lawrence Maynor	7	7	....	....	25	5	30
68	(2)Warren Dial	7	7	22	....	22	15	37
68	(2)Riley Locklear	9	9	25	....	31	15	46
68	(2)Norman Locklear	10	10	....	....	40	20	60
68	(2)James Locklear	5	5	....	....	22	15	37
		246.	265.	771.2	504.7	722.	192.	600.

* = 1/3 Croppers; ** = 1/2 Croppers; *** = Farm Owners.

(1) Pays 'Stated Rent'; (2) S.M.Bell - Chairman of the Siouan Tribal Council - Joseph Brooks, Delegate - Warren Dial - Riley Locklear-Norman Locklear, and James Locklear (Locklears no relation to each other) and JDP on evening of 11/8/35 had a discussion of above and other matters and voted as voted. (D)

FOR SUMMARY OF ABOVE PAGE & FIGURES GIVEN, SEE NEXT PAGE HEREIN.....

Data on - LAND NEEDS FOR AVERAGE INDIAN FAMILY (cont'd):

Summary of Preceding Page:

AVERAGE No.OF PERSONS IN PRESENT FAMILIES and HOUSEHOLDS:

36 families, totalling 246 members, average 6.83 members living at home (with a number of families having other members elsewhere).

36 households, totalling 265 persons, averaged 7.36 persons per house.

AVERAGE No.OF ACRES TILLED PER HOUSEHOLD and PER PERSON THEREIN:

24 families, 177 persons in their households, tilled 637.8 acres, or 26.6 acres per farm household - and 3.6 acres per person therein.

AVERAGE No.OF ACRES IN WOODLOT PER HOUSEHOLD and PER PERSON THEREIN:

12 families, 89 persons in their households, have 163 acres of woodland, or 13.6 acres of woodland per household - 1.8 acres per person therein.

MAKING THEIR PRESENT FARMS AVERAGE:

	Per Household	Per Person
Tilled land.....	26.6 acres	3.6 acres
Woodland.....	13.6 "	1.8 "
Per household..	40.2 acres	
Per person.....		5.4 acres

AVERAGE LAND NEEDS PER HOUSEHOLD and PER PERSON THEREIN:

24 families, 182 persons in their households would need 702 acres of TILLED LAND, or 29.2 acres per household - and 3.86 per person.

15 families, 112 persons in their households, would need 192 acres of WOODLAND - or 12.8 acres per household - and 1.71 per person.

15 families, 112 persons in their households, would need 600 acres of LAND (TOTAL OF TILLED LAND and WOODLAND), or 40 acres per household - and 5.36 acres per person therein.

RECAPITULATION:

36 families averaged 6.83 members each and 7.36 persons per house.
24 households averaged 26.6 acres of tilled land - or 3.6 per person.
12 households averaged 13.6 acres of woodland - or 1.8 " " .
MAKING PRESENT LAND 40.2 ACRES PER HOUSEHOLD, OR .. 5.4 PER PERSON.

24 households would need 29.2 acres, tilled land, each, or 3.86 " " .
15 households would need 12.8 acres, woodland each, or 1.71 " " .
TOTAL NEEDS WOULD AVERAGE 42.0 ACRES PER HOUSEHOLD, OR..5.57 " "

D-1

NOTES:-
* = 1/3 Cropper
** = 1/2 Cropper
*** = Farm Owner-
(1) = 2-horse farm.
(2) = See page #69 for Tobacco - and Cotton Allotments, and amounts raised.....

Data on - 1935 -

ACREAGE IN CROPS:

Source of Data. Page:	NAME:	Total No. in the House	Total Acres Tilled	Tobacco	Cotton	Corn	Oats	Wheat	Garden	Miscel. and Unaccounted For; incl. Potatoes:-
#3	*U.Chavis	6	15.0	---	5.0	8	.7	----	.05	1.25
4	*S.Dees	8	26.2	---	20.0	6	---	----	.25	---
5	*H.Dial	7	26.0	---	20.0	6	---	----	---	---
6	*Mrs.E.Jacobs	-	-	---	33.0	14	---	----	---	---
8	*J.Locklear	10	35.0	7.5	15.0	9	3.0	----	.50	---
11	**L.Bullard	4	23.0	---	8.0	15	--	----	.25	---
13	**H.K.Chavis	3	25.0	5.0	//7.4	5	1.0	----	---	6.6
14	**H.Dees	-	34.5	3.5	12.0	15	2.0	----	*.50	2.0
15	**S.Hammons	9	26.0	4.0	9.0	10	1.0	----	.50	1.5
16	**B.Jacobs	7	30.0	2.5	10.0	15	1.5	----	.50	.5
17	**O.Jones	-	45.7	2.7	22.0	18	3.0	----	--	---
19	**P.Locklear	2	29.2	---	15.0	12	.75	-4.0	.50	---
24	**J.Strickland	8	34.4	8.4	11.0	15	---	----	---	---
25	**A.Wilkins	10	24.3	---	9.3	14	.50	----	.50	---
26	**J.W.Wilkins	3	24.0	6.0	5.5	11	1.0	----	.20	---
31	***S.M.Bell	8	20.0	2.0	3.6	11	---	----	.50	2.5
34	***L.Brewington	5	30.0	3.5	6.0	15	3.0	----	.50	2.0
35	***J.Brooks	6	5.0	3.0	---	1	---	----	---	1.0
36	***R.Brooks	4	4.3	---	---	4	---	----	.30	---
37	***N.Dial	12	22.0	3.0	9.0	10	---	----	---	---
39	***B.Locklear	8	20.0	1.1	8.2	8	---	----	.50	2.2
40	***D.Locklear	8	26.0	3.0	7.0	16	---	----	.29	.8
45	***A.Woods	12	25.0	5.0	4.0	11	3.75	2.0	.50	1.75
48	(1)C.Lowry	7	55.0	5.5	10.0	30	2.00	----	.50	7.00
69	**S.Bullard(2)	-	----	---	40.0	--	----	----	---	----
69(2)	*E.Oxendine	-	----	2.0	11.5	--	----	----	---	----
69(2)	**L.Revel	-	----	---	17.0	--	----	----	---	----
69(2)	**A.Strickland	-	----	3.5	28.0	--	----	----	---	----
69(2)	**H.Locklear	-	----	1.6	18.5	--	----	----	---	----
69(2)	**S.Maynor	-	----	1.2	20.0	--	----	----	---	----
69(2)	*J.Locklear	-	----	---	9.0	--	----	----	---	----
69(2)	**L.Maynor	-	----	---	9.0	--	----	----	---	----
69(2)	*** J.E.Chavis	-	----	---	5.0	--	----	----	---	----
	Totals.....	147	605.6	-74.0	397.6	278	20.2	3.0	6.8	29.1

SUMMARY:- 21 households, with 147 persons therein, or 7.0 persons each, tilled 525.4 acres of land - or 25.0 acres per household - and 3.6 acres per person.

Tobacco:-14 households - 106 people therein - raised 59.5 acres of tobacco - or 4.25 acres per household - and .56 acres per person therein.

Cotton:.. 19 households, with 137 persons therein, raised 183.0 acres of cotton - or 9.6 acres per household- 1.3 a. per person.

Corn:.... 21 HOUSEHOLDS - 147 PERSONS THEREIN - RIASED 231 ACRES OF CORN - OR 11.0 ACRES PER HOUSEHOLD, AND 1.6 a. PER PERSON.

Oats:.... 13 farms raised 20.2 acres, or 1.5 per farm.

Wheat.... 2 farms raised 3.0 acres, or 1.5 per farm.

Gardens.. 17 farms raised 6.8 acres of garden, or .40 a. per farm.

SEE AT TOP FOR NOTES.

PEOPLE INTERVIEWED BY JOHN PEARMAIN - November 7 to 11, 1935 While on Trip to Siouan Indians of Robeson County, North Carolina:

(NOTE:- All of the following are members of the Siouan Tribe of Indians of Robeson County, N.C. - unless otherwise noted.)

SUB-INDEX TO PEOPLE INTERVIEWED:-

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2	Wash Bell	1/3 Cropper
3	Ulysses Chavis	" "
4	Shaw Dees	" "
5	Harvey Dial	" "
6	Ellen Jacobs	" "
7	D.L.Locklear	" "
8	Jasper Locklear	" "
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10	Elwood Oxendine	" "
11	Leonard Bullard	1/2 Cropper
12	Sheldon Bullard	" "
13	H.K.Chavis	" "
14	Hessie Dees	" "
15	Steve Hammons	" "
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18	Henry Locklear	" "
19	Parker Locklear	" "
20	Walter Locklear	" "
21	Sim Maynor	" "
22	Lindsey Revels	" "
23	Alex Strickland	" "
24	John Strickland	" "
25	Andrew Wilkins	" "
26-7	J.W.Wilkins	" "
28	Archie Woods	" "
29-30	James E.Chavis	Farm Owner.
31-33	S.M.Bell	" "
34	Lee Brewington	" "
35	Joseph Brooks	" "
36	Rutherford Brooks	" "
37	Nathaniel Dial	" "
38	A.C.Locklear	" "
39	Betsie Locklear	" "
40	Durant Locklear	" "
41	R.M.Lowry	" "
42-43	H.H.Oxendine	" "
44	John R.Oxendine	" "
45	Andrew Woods	" "
46	C.H.Bell	Builder
47	Benny Locklear	Laborer
48	Clarence Lowry	Renter

Page	NAME:-	OCCUPATION.
#49	Eli Lowry	Laborer.
50	L.Maynor	"

WHITES INTERVIEWED:-

51	W.I.Beeson.	Overseer.
52	J.C.Faulk -	Doctor.
53	ACL on Paul McNeil.	
54-5	J.R.Moore	Overseer
56	Mrs.J.R.Moore,	Relief Worker.

SSE CONTINUED - TOP RIGHT. /

NAME	Wash Bell
SECTION	Saddletree Section, Robeson county N.C.
OCCUPATION	Tenant farmer - 1/3 cropper
REMARKS Credit Buying	" Charge you 10% (interest when buying on credit) and then run the provisions up 25% " - " Runs 30¢ to 40¢ higher on a bag of flour than the cash price ".
20 Year Old Debt	Got into debt twenty years ago and not out of debt yet (borrowed during the world war) - borrowed $200.00 then and still owes just as much - been paying about $20.00 a year in interest - " they charge you about 10% " .
Third Cropper	Is a one third cropper , says " work three days - take one - and give the other fellow two ".
INTERVIEWED	Sunday 11/10/35 at A.C. Locklear's by JDF.

2.

NAME	Ulysses Chavis (brother of James Chavis, interviewed elsewhere)
SECTION	Pembroke Township, Robeson county N.C.
OCCUPATION	1/3 cropper (farms on his brother, James Chavis' place , but his brother wants the farm himself in 1936).
AGE	32 years old
FAMILY	Wife and four children, ages 7,6,4,2 (6 people on the place)
FARM	28 acre farm- 15 acres tilled land - 13 acres wood lot - farm rather run down when bought two years ago by James E. Chavis. The man who had it previously " stuck fire in it " , i.e. hurt the soil by burning the fields over repeatedly (and the place showed it. JDP)
Crop Acreage	5 acres of cotton made 711 # - (got 1/3 of seed) 0 acres tobacco (had no allottment) - 8 acres corn, produced 85-90 bu. 3/4 acres of oats
INCOME of 1/3 cropper	His 1/3 of all cotton, including his 1/3 of seed , brought .....$30.50 Uses his one third of corn on the place ..... ____ Worked outside for wages - 12 days on tobacco, in the field , $1.25 per day(12 hours) ..... 15.00 Also 5 weeks grading tobacco at $5.50 ..... 27.50 Gross income for year, cash received $73.00
Moving Dec. 1st.	Has had no success in getting another place, has been trying every since 1st. of September - would like to get a place with 20 acres of good tilled land with a " provision of tobacco " (2 1/2 acres) - could handle from 8 to 10 acres of cotton - could handle 25 acres of tilled if he had place for small grain as well as the 8 to 10 acres of cotton.
Land Needs	Has small garden - 1/20 acre - owns 1 cow, (dry) 3 small pigs - 22 chickens.
INTERVIEWED	11/8/35 on his place by JDP.

3.

NAME	Shaw Dees .
SECTION	Red Banks Section, Robeson county N.C.
OCCUPATION	Tenant Farmer - 1/3 cropper (less the seed) On Fletcher Plantation.
FAMILY	Self, wife and six children
FARM Fletcher Plantation	Fletcher Plantation, has some 1100 acres of tilled land and 700 acres of wood land - the plantation bordering on the Lumber river about four miles from Pembroke N.C. There are some 26 tenant farmers on the Fletcher Plantation, mostly 1/3 croppers, some of them two horse farmers - about 36 mules on the place in all .
Farm Units	Shaw Dees farms 20 acres of cotton - makes 15 bales - 6 acres of corn 1/4 acre of garden,(needs more garden)
HOUSE Like Others on Plantation	Lives in an old 4 room house like most of the other tenant houses on the plantation - the house is absolutely and bare and cheerless - high ceilings - cold in winter - dark but, apparently, made of good materials and could be repaired or remodeled. House is of frame construction set on wood blocks - matched pine inside on floors, walls and ceilings - has a two chimney fireplace, ceiling 10 feet high - wood shingle roof - german siding outside - no paint inside or out .
INCOME	Last year had about $100.00 in cash left over after he paid what he owed (only had this much left because he cut down amount he owed at company store by doing plowing for the boss)- Says he want have anything left after he pays what he owes (this year) had docters bills and had to borrow to live on - want have enough to clothe his children properly to go to school.
Government Project	Says he would rather owe the Government $200.00 or a small amount on fixing up the house than $600.00 on a new house (Note; A.C. Locklear estimates $800.00 would build a house today similar to the one Shaw Dees is now in - described above - A.C. Locklear has built five houses around here . JDP.)
INTERVIEWED	11/8/35 and 11/10/35 both times at his place - See two photographs of house which is similar to twenty five other houses on the same place. By JDP.

4

NAME	Harvey Dial ,32 years old
SECTION	Red Banks, Robeston county, N.C.
OCCUPATION	Tenant farmer; 1/3 cropper on Fletcher Plantation
FAMILY	Self - wife and five children - oldest 12, youngest 3 months.
Farm Unit	Farms 20 acres of cotton - grew 13 bales this year - 5 to 6 acres of corn - not picked yet
Day Laborer	Last year could not get a farm and worked at $18.00 per month (about eight months) as a farm laborer with house furnished him but had to buy everything else he used .
	Has been told (this year) he will get between 10¢ and 11¢ on cotton (1/3 of it)
INTERVIEWED	11/6/35 at the Fletcher Plantation by JDP.

NAME	Mrs. Ellen Jacobs
SECTION	Fletcher Plantation, Red Banks Section, Robeson county N.C.
OCCUPATION	Tenant Farmer, 1/3 cropper (1/3 of cotton and 1/3 of corn - landlord gets cotton seed). Has been on the place 19 years - 1/3 cropper all the time (gets none of cotton seed now " nor since they were here ") - husband dead two years .
Farm Unit	23 acres in cotton - 13 to 14 acres in corn
Crop Figures 1/3 Cropper	Have less fertilizer now than in previous years - used to get 1000 # per acre - now get 5-6-7 hundred lbs. per acre - made 13 bales of cotton this year (more or less) have two or three more bales yet to pick - getting 10 to 11¢ for it - corn not yet gathered .
1934 Figures	Last year had same cotton acreage - grew 19 bales - sold for 9¢ to 10¢ per lb. - some at 8¢ (it was generally reported to me that the landlords this year were allowing less fertilizer per acre than previously in order not to raise too many lbs. of tobacco or cotton per acre - because any excess lbs. per acre over their allotment weight per acre must pay the processing tax of 04¢ per pound. JDP)
1/3 Croppers Livestock	Has one cow 15 chickens 5 large pigs - 2 small ones 2 ducks 2 guinea hens A two mule farm (land lord's mules)
Clothing	Neither Mrs. Ellen Jacobs or her children had shoes or stockings . Mrs. Jacobs clothing was in complete rags , both her sweater, dress and blouse .
Excellent Crop	The cotton crop, grown by Mrs. Jacobs was excellent, as were practically all of the acres planted to cotton this year on the Fletcher Plantation . (In other words, she and the other one third croppers on the Fletcher Plantation took the best of care of their crops and yet had practically nothing to show for it at the end of the year.)-JDP.
INTERVIEWED	11/8/35 at her home by JDP. (Note: her house was practically identical with the house of Shaw Dees - reported elsewhere herein. JDP)

6.

NAME D.L. Locklear.

SECTION Buies Section, Robeson Co. N.C.

OCCUPATION 1/3 Cropper (" no seed, nor nothing "); has been farming all his life; had place of his own until 1933; share-cropper in 1935; worked for wages in 1934, because he could not get a crop to care for that year.

FAMILY Self, age 56; Wife age 22 (2nd. wife) 5 daughters from 12 to 24 years old; 2 sons born 1909 and 1914; granddaughter.

HOUSE His house has four families in it, or parts of families, 10 people in three rooms- small rooms- four sleep in one bed.

Wants to get his own home back. Foreclosed by Lumberton merchant in 1933; farm, 50 acres cleared, 3 acres woods; used to grow plenty of cotton- 20 to 36 acres; rest in corn; no tobacco.

INTERVIEWED Friday 11/8/35 by J.D. P.

NAME	Jasper Locklear
SECTION	Howesville Township, Robeson county N.C.
OCCUPATION	1/3 cropper; two horse farm.
AGE	47 years of age
FAMILY	Wife and 9 children; oldest 28 (boy) ; youngest 8 years (girl) ; all work in the fields; children born 1907 - 1909 - 1911 - 1914 - 1918 - 1919 - 1916 - 1923 - 1925 - 1927 -; one died ; all the rest at home except the oldest and he married and away from home.
HOUSE	House needs covering but in good shape otherwise; Has larger house than most of them .
INCOME	Will have something around $200.00 clear after paying hisz bills - " a little better than a lot of them " (didn't owe so much) .
INTERVIEWED	Sunday 11/10/25 on his place by J.D.P.
REMARKS	Has all the land he wants ;
Crop Acreage	Tills 15.0 acres of cotton(gets paid for his 1/3 cotton seed) 7.5 acres of tobacco 9.0 acres of corn 3.0 acres of oats .5 acres of garden 35.0 acres of tilled land
	Tobacco allottment 900# per acre - no tax paid this year; Cotton .....- tax paid $114.20;
	Says his is " a good land section"
LAND NEEDS	If he had his own place he would want about 40 acres of cleared land.
Farm Shortage	Says a lot of them wanting farms now but " want be able to get them "; This coming year worse than last and more new comers in the county this year; says he has more than the average hereabouts; has been on this one place 15 years as a 1/3 cropper, growing tobacco and cotton.

NAME * Jim Locklear

SECTION "Back Swamp" Section, Robeson County, N.C.

OCCUPATION 1/3 Cropper

AGE - etc. 35 years old. Is one of seven brothers and sisters, all of whom grew up to be married.

OWN FAMILY Has wife and four children.

HOUSE Says his is a bad house. "It has been bad for 25 years or longer." It is a 1-room house; 6 people in it; all one family.

REMARKS Says that if he were included in a Government Project he would like a 3-room house to cost about $400. or $450.; and would want 30 acres of tilled land (a 1-horse farm).

INTERVIEWED At home of A.C.Locklear, evening of 11/9/35 (Saturday).

* Note:- Above is son of Henry Locklear, reported elsewhere herein, but they run separate farms.

9.

NAME	Elwood Oxendine age 35
SECTION	Waukulla Section, Robeson County N.C.
FAMILY	Was one of nine brothers and sisters - four are married (to date) - Has a wife and four children.
OCCUPATION	Tenant farmer - 1/3 cropper.
HOUSE	House is in " pretty bad shape " needs covering - 6 in house (one family) in three rooms - house is old.
Governement Project	Would want a $500.00 house if he were borrowing from the Government.
	If he had his own place would want 25 acres in all, 18 acres tilled, 7 in wood lot.
INTERVIEWED	11/9/35 evening at home of A.C. Locklear. JDP.

10.

NAME	Leonard Bullard - age 39.
SECTION	Philadelphus Section, Robeson county N.C.
OCCUPATION	Tenant Farmer - ½ cropper - land lord gets the cotton seed.
FAMILY	Wife and two adopted children (girls age 13 and 14)- 4 on place.
HOUSE	Has new house built by landlord last winter - 4 rooms cost about $200.00 - size of house 24 x 24 ft. - it took*four men 6 days to build house - all rough lumber - metal roof- 1500 ft of lumber on the four outside walls - 2 rooms " ceiled " and two " unceiled 2. * Also two men one day on chimney - total labor on house about $50.00 (three men at $1.00 per day, one man at $3.00 per day and two masons one day) - $50.00 for lumber and $50.00 for metal roof - about $200.00 in all. (Roof leaks already)
FARM	Works 23 acres ; 8.0 acres of cotton (cleared $80.00 out of cotton, from his ½) 0 acres of tobacco 15.0 acres of corn - used all corn on place
Income	Has been close to 20 years on the same place with the same landlord. Cleared $80.00 last year after picking and selling and paying his bills - had ½ acre of garden (enough) - no cow - one mule - four small pigs - 20 or so chickens - took in about $20.00 on outside labor helping barn tobacco elsewhere.
Expenses	Clothes and all other purchases had to come out of the $80.00 plus $20.00 noted above as his cash income for the year ($100. total).
REMARKS	The 23 acres of tilled land is about as much as he can tend himself - has been in pretty good health , except his back has bothered him the last four or five years - has never been able to save any money - the two adopted girls helped to pick cotton, also his wife - This year he hired $1.12 worth of help (1 day)
INTERVIEWED	11/8/35 on his farm by JDP.

NAME	Sheldon Bullard, age 51.
SECTION	Prospect Section, Smith Township, Robeson county N.C.
FAMILY	Self - two brothers and four sisters - all grew up and married - Present household wife and seven children at home and four married children away from home.
OCCUPATION	Tenant farmer - one half cropper - three mule farm - works ninety acres " don't hire much help, just the family "
Government Project	Would want 45 to 50 acres of tilled land - and work that acreage themselves - Oldest " child " at home is 29 - youngest is three months - with other ages ranging between these ages.
Grandchildren	Besides his wife and himself and seven children living at home, there are seven grandchildren in addition living on the place - " has a pretty good house - needs covering" five rooms in house --
House Needs	Would want a five room house to cost about $1,000.00.
INTERVIEWED	11/9/35 evening at A.C. Locklear's JDP.

NAME	H.K. Chavis
SECTION	St. Pauls Township, Robeson county N.C.
OCCUPATION	1/2 cropper; tills 25 acres.
AGE	32 years old.
FAMILY	Wife and one child; was himself one of five children - three of them married.
INCOME	" Will just about get by "; will have enough to take him until the first of the year (before he has to buy on credit again).
INTERVIEWED	Sunday 11/10/35 in his district by JDP.
REMARKS In Debt 7 Years For $250.00 10% Interest	Would like to have his own place if he could (" yes, Sir; ") ; Says he is through with debt; got out of debt last year; had $250.00 claim against him; the debt ran about 7 years before he could get where he could pay it off; was charged 10% ; borrowed in first place to buy groceries and feed so he could get started in farming (Note - he is 32 now); Paid the man he borrowed from almost as much in interest in 7 years as principal originally borrowed
Indians Forced out	Says new white tenants moving into county lately and taking up indian croppers' places and latter have no place to go .
Crop Acreage	25 acres tilled; 5.0 acres tobacco ; no excess raised ; no tax; 7.4 acres cotton ; 3 bails on tax - $48.32 tax; 5.0 acres corn ; 2.0 acres potatoes and oats; 1.0 acres bean hay; 20.4 acres tilled (with 4.6 unaccounted for) ;
Outside Help	Paid $20.00 for outside help in 1935 .

NAME	Hessie Dees , about 52 years old
SECTION	Philadelphus township, Robeson county N.C.
OCCUPATION	Tenant farmer, ½ cropper (his landlord is A.C. Locklear) .
FARM-	Has a 40 acre two horse farm which he has been on for the past 10 years. -
Crop Acreage	Tobacco 3.5 acres Cotton 12.0 acres Corn 15.0 acres Oats 2.0 acres Beans 2.0 acres 34.5 acres as above
Garden	Has an ample garden with green vegetables in it.
Farm Shortage	Knows of at least three families who were unable to get farms - says it will be harder to get a farm next year - more people wanting farms now than before - lots of people married and that accounts for some of the extra demand - several families from out of the county have moved in recently and at least four more families, that he knows of , are coming in next year , and will dispossess indian families now on farms.
INTEVIEWED	Sunday evening 11/10/35 on his farm by JDP.

NAME	Steve Hammons
SECTION	St. Pauls Township, Robeson Co. N.C.
OCCUPATION	1/2 cropper; 1 horse farm; there four years.
AGE	35 years old
FAMILY	Wife and 7 children; oldest child 14.
HOUSE	Four room house; in poor shape; 1 room " not worth using "
INCOME	About $100.00 or less after crop .
INTERVIEWED	Sunday 11/10/35 on farm by JDP
REMARKS	Tills 26 acres;
Crop Acreage	4.0 acres of tobacco - tax pd. $17.00 on excess; 9.0 acres of cotton - raised 6 bails; tax on 5; 10.0 acres of corn; 1.0 acres of oats; .5 acres of garden 24.5 acres tilled .
	Says that his is a good land section.
Land Needs, Etc.	Would like to have mostly cleared land; would want a four room house and want to have it cost about " 4 or 5 hundred ".
Indians ' Needs	Says that if they ever needed any help now is the time they need it; thinks men would pay the government back all they borrowed, if the government did not tax them too much in the mean time (processing tax); says no trouble finding 40 or 50 families, good responsible people to go on a project like that.

15.

NAME Boss Jacobs

SECTION Philadelphus Section, Robeson county N.C.

OCCUPATION Tenant Farmer - half cropper

FAMILY Self, Wife and four children. (Oldest child 12, youngest 1 year) - seven in all.

HOUSE 2 bedrooms, 1 kitchen and living room combined - 3 rooms in all and porch. House would cost $400.00 to $450.00 at this time to build new, per A.C. Locklear, his landlord. (A.C. Locklear built the house about 1920) - A frame house, rough lumber, dressed lumber inside, six windows - open too fire place chimney - and stove flue (separate).

FARM Works 30 acres total - all cleared land - valued at $50.00 per acre.

Crop Acreage
9-10 acres cotton (landlord gets all cotton seed at .10¢ or so after paying for ginning)
2.5 acres tobacco
1.5 acres oats for green feed
.5 acre garden, potatoes, cabbage etc.
15.0 acres in corn
29.0 acres more or less in crops.

Crop Production

Cotton 6 bales - worth	$300.00
Tobacco 2400# - worth	580.00
Corn 180 bu. at .50¢ cash value	90.00
(Much of his corn used on the place)	
Total as above	$970.00

Livestock Raises chickens for own use - has no cow, 2 mules.

Tenant Boss Jacobs made a better crop than a lot of them (per A.C. Locklear, his landlord) - his land not so good. Tenant furnishes, mules, plow, wagon and does all the work.

Landlord Furnishes seed, fertilizer, and pays taxes- also furnishes house - landlord gets half the cotton, tobacco and corn and has to pay the taxes (real estate).

INCOME Tenant, besides having his taxes paid, his house free, his garden chickens, oats, all free (for whatever labor etc. he puts in) gets ½ the cotton, tobacco and corn ~~only and has~~ (Total as above $970.00) - $485.00

Boss Jacobs had to hire outside help - pd. out $65.00
(Includes $20.00 for picking cotton and $45.00 labor to his wife's uncle on the place)
Pd. by tenant on plows etc. 12.00-77.00
Approximate net income ..(cash income) $408.00

INTERVIEWED 11/7/35, evening, at home of A.C. Locklear by JDP.

16.

NAME	Offie Jones
SECTION	White Hill Section, Robeson County N.C.
OCCUPATION	Tenant Farmer, one half cropper
REMARKS 10% Int.	Says he borrowed money through the overseer he works for - borrowed $2.00 a week last winter and then $3.00 per week last spring and summer - about $105.00 total - and " he charges me 10% interest on all that- but will be able to pay it all off out of the present crop.
FARM Acreage	Had 2.7 acres of tobacco 22.0 acres of cotton 18.00 acres of corn (for own use entirely) - got the corn land at $5.00 per acre stated rent - Will have a little something left over (after repaying $400.00 which includes land rent - the $105.00 borrowed and soda $24.00. 3.0 acres of oats (3 acres at $5.00 each stated rent)
Interest Rates & Credit	Says that if a man buys a bag of flour for cash he gets it say, for $1.00 - or $1.10 if he buys it on credit - on top of the $1.10 he is charged 10¢ more on the dollar for whatever there is on the books against him (makes over 20% extra where bought on credit) and can sometimes get the same flour for .88¢ cash at the chain store or A. & P. The above confirmed by John A. Locklear and Joseph Brooks who were present.
Good Farmer	Offie Jones' overseer made he made more on tobacco than anyone else on the place (farm has five croppers and the owners farm on it)
INTERVIEWED	11/10/35 on his place by JDP.

NAME * Henry Locklear

SECTION "Back Swamp" Section, Robeson County, N.C.

OCCUPATION 1/2 Cropper

AGE, Etc. Is 58 years old. Was one of six children. All grew up to be married.

OWN FAMILY Has wife and six children.

PRESENT HOUSE, House he is in now is "mighty sorry"; leaky; no chimney; "the wind goes through it"; newest part of the house has glass windows; is a 4-room house; 8 people in it; all one family; his wife says it is "the worst house she ever was in"; oldest part of the house (kitchen which they use the most) has only wooden shutters over the window space.

REMARKS Says that if he were included in a Government project he would like a 4-room house to cost about $500.; and 40 acres of tilled land. (A 2-horse farm.)

PHOTOGRAPH Took one picture of house and some of those living there- (see elsewhere herein.)

INTERVIEWED Saturday, November 9, 1935. Was one of several who spent the evening at A.C. Locklear's house discussing things. -- I visited his farm Sunday, 11/10/35 - JDP.

Note:- Henry Locklear is father of Jim Locklear (35) given elsewhere, but they run separate farms.

18,

NAME	Parker Locklear
SECTION	Pembroke Township, Robeson county N.C.
OCCUPATION	1/2 cropper " but don't get half " (land lord takes the cotton seed.- " Really got 1/2 up until 2 years ago "). Worked farm of Russell Livermore this year. Paid stated rent this year of $5.00 per acre for all of the farm except that he worked 15 acres of cotton on " halves ".
AGE	52 years old
FAMILY	Has wife and brother-in-law and his own little boy 12 years old.
FARM	Grew 12 acres of corn - raised 150 bu. worth $75.00 1 acre of wheat 3/4 acres of oats 1/2 acre of garden 15 acres of cotton (on halves)

Paid $5.00 per acre on corn land stated rent -	$60.00
Bought 1700 # soda	25.00
Bought no tools this year -already had them.	
Pd. for outside labor - about	30.00
Board of brother-in-law for 12 months	120.00
Approximate total Expenses on farm	$235.00

Livestock	Owns one cow, 35 or 40 head of chickens and 1 mule.
Moving Dec. 1	Has a farm signed up to go to for 1936 but says " plenty of 'em can't get none and not going-to get none " - Landlords " don't want to talk to a third cropper (who has no mules or tools etc. of his own and who can furnish only his own labor.)
Landlords	Landlords want even put a window in the house to keep the weather out, he says. (This confirmed numberous other phces.
INTERVIEWED	11/8/35 on his place by JDP.

NAME	Walter Locklear age 49
SECTION	Philadelphus Section, Robeson County N.C.
FAMILY	Was an only child - has wife and six children, all living at home.
OCCUPATION	Tenant farmer- 1/2 cropper .
HOUSE	His house has two rooms - eight people in the house, All one family - " some parts of house pretty fair- about half of it "
Government Project	Would want 40 acres of tilled land - a two horse farm.
House Specifications	Would want a four room house, cost $500.00 - house finished in german siding (outside) - single floor - ceiled inside on walls and ceiling.
Type Wanted	All present - about 12 men - said that this was the type of house they wanted, or rather, type of construction they wanted - i.e. german siding outside, single floor inside , with walls and ceiling " ceiled ".
INTERVIEWED	11/9/35 evening at home of A.C. Locklear. JDP.

NAME	Sim Maynor Age 60
SECTION	Philadelphus Township, Robeson county N.C.
OCCUPATION	Tenant Farmer, ½ cropper
FAMILY	Has wife and 9 children (4 at home) - was himself 1 of 8.
HOUSE	Has 3 rooms - 7 people in them - all one family - house is in very bad condition (what he said of it could not be printed) .
NEEDS	Says he would need 50 acres with woods and all - 40 acres tilled - a two horse farm. Would want 4 room house to cost about $600.00.
INTERVIEWED	Sunday 11/10/35 at A.C. Locklears place by JDP.

21.

NAME	Lindsey Revels, age 57
SECTION	Waukulla Section, Robeson County N.C.
FAMILY	Was one of five children - all now married - has nine children - all at home - making eleven in family.
OCCUPATION	Tenant Farmer - 1/2 cropper .
HOUSE	Three room house - eleven people in it - all one family - condition of house - bad.
Government Project	Would want a five room house, cost about $800.00. Would want 50 to 60 acres in all - 40 acres cleared - a two horse farm for his size family (11 people)
INTERVIEWED	11/9/35 evening at A.C. Locklear's . JDP.

22.

NAME	Alex Strickland , age 56
SECTION	Waukulla Section, Robeson County N.C.
FAMILY	Was one of nine brothers and sisters - all but one grew up to be married - has wife and seven children .
OCCUPATION	Tenant farmer - 1/2 cropper - three horse farm.
HOUSE	House is pretty good - a new house - cost $333.00 - labor and materials - one family (7 people) in the house - four rooms -
Government Project	Want a $500.00 or $600.00 house if he had to borrow from the Government.
	If he owned his own farm , says he could get along with a one horse farm - would want 40 acres - 25 tilled - 15 in wood lot .
INTERVIEWED	11/9/35 evening at home of A.C. Locklear. JDP.

23.

NAME	John Strickland, Philadelphus Section, Robeson County, N.C
OCCUPATION	"Farmed all his life" a 1/2 cropper; "don't get the seed now"; not since 25 years ago; only one now and then gets the (cotton) seed.
AGE	67 years old.
FAMILY	Self and wife; son and son's wife, and their 4 children.
FARM	2-mule farm: (1 is his; 1 his son's.)
Crop Acreage	8.4 acres of tobacco - 11.0 " " cotton - 15.0 " " corn (5 acres stated rent; 10 share-crop) 34.4 acres tilled land.
Garden	No garden. Could have one but the "bugs got it last year" so have none this year.
Allotment	Tobacco 6080#. Crop will run over this. Cotton allotment, 1300#; crop will run over 7-8 bales.
Processing Tax	Thinks tax would be all right if each farmer were allotted so many acres and then could raise all he wanted to per acre on those acres.
Income	"Made a little bit of money last year, between $75. and $100. (for the 8 people in the household) after paying what they owed" - "Got no clothes (except "two shirts and two pairs of overalls, and one pair of shoes last winter"); "-
Farm Shortage Less Renters Needed by 30%	Says have been 25 or 30 Indian people after 1 farm that is for rent by J.P.McMillan (in Philadelphus district); all had farms this year but now have to move (December 1st); "reduction of money crop (cotton and tobacco) has cut number of renters needed by 30% (from 100% average of last five years to 70% of that number)."

INTERVIEWED 11/8/35 where he was grading tobacco. JDP.

24.

NAME	Andrew Wilkins age 56
SECTION	Philadelphus Township, Robeson county N.C.
OCCUPATION	Tenant Farmer, ½ cropper, on this farm six years.
FAMILY	Self, wife and eight children (ages 18-13-12-10-7-4-3-and 2 months.) - Five oldest help pick cotton- have not yet started to school (on Nov. 8) - says it will be three weeks more before they can go to school because of the work they have to do on place - has to buy school books for the children.
HOUSE	Has a new house identical with Leonard Bullard's $200.00 house described elsewhere herein - their landlord built three of these new houses for his tenants last year (early 1935) .
FARM	Has good land - gets seven to eight bales of cotton from 9.3 acres - gets 100 or so bu. of corn off of 14 acres - uses 40 to 50 lbs. of soda per acre on corn - uses 450 # per acre of guano and 50 # of soda per acre on cotton.
Crop Acreage	Has 25 acres - 20 acres in one peice and 5 acres across the road - gets ½ the cotton but no seed - gets ½ the corn - has no tobacco, no wheat or rye - has ½ acre in oats - ½ acre in garden - 14 acres in corn (uses all the corn on the place himself) Has ¼ acre garden - ¼ acre potatoes (needs 3/4 a. potatoes)
Livestock	1 mule (belongs to landlord) but is buying it from the landlord - owns one cow, three pigs and thirty chickens.
Landlord	Has worked for the same landlord for six years now and is to be here next year (7th year) so the landlord is satisfied with him as a farmer yet the landlord's statement of Andrew Wilkin's account for January 1, 1935 (account signed by J.P. Buie, landlord) shows but $5.15 left for the tenant Andrew Wilkins after his years work in 1934. (Original of this landlord's statement attached to the original of this report. JDP) - (Note- Andrew Wilkins has a good farm - land and crop appeared excellent - the four or five oldest children work in field and yet , like his neighbor Leonard Bullard reported elsewhere , was unable to make more than the barest living as a ½ cropper . JDP)
Bare living For Tenant Farmers	
Income of Share-Croppers	
	Says he could make out better if he had two or three acres of tobacco - has not been able to pay landlord yet on the mule he is buying from him - Needs another cash crop or more cotton.
Land Values	Says tilled land on this farm is worth about $50.00 an acre - Could raise more cotton per acre if he put more fertilizer on it but would then have to pay processing tax on excess over allottment.
Other Income	Have not been able to find any outside work lately - used to be able to cut and sell wood, not allowed to do it anymore -
INTERVIEWED	11/8/31 at his place by JDP.

25.

NAME J.W. Wilkins

SECTION Philadelphus Township,, Robeson county N.C.

OCCUPATION Tenant farmer, ½ cropper - has farm 12 years.

FAMILY Self, wife and hired man.

HOUSE Four room frame house - rough lumber outside, dressed lumber inside - 8 windows in house - 2 fireplace chimney with separate flue for stove - house has 3 bedrooms and one combined kitchen,dining room. Front porch - house set on wood blocks - part of roof metal and part shingle - says it would cost around $600.00 to build a house that size now - thinks $800.00 will build a good frame house now with german siding.

Wants Says if government were putting em-re up the house on a reimburseable basis he would like a five room house costing about $1000.00 if reasonable time to pay it off - would like electric lights if he could have them and also running water in the house .

Would want house costing	$1,000.00
25 acres of land @ $50.00 per acre	1,250.00
Barn (if new)	250.00
Well	15.00
Chicken house	10.00
Toilet (outside)	10.00
Total, only items as listed	$2,535.00

FARM Rents 24 acres of good land - all tilled .

Cotton 5.5 acres- production 4 bales - brought		$200.00
Tobacco 6.0 acres - "	6000# ..... "	1400.00
Corn 11.0 acres 175 bu.		87.50
Oats 1.0 acre used for green feed		____
Garden.2~~2~~ acres (2/10) - own use.....		____

30 head of chickens
5 turkeys
4 pigs
1 mule
0 cows
0 outside work done (so no income there)

Total from cash sales		$1687.50
Tenants share (½ cropper)		844.00
Less paid out for hired help	$60.00	
Tax on cotton	23.00	
Tax on tobacco	37.00	
Cash to hired man	160.00	
Board of " " 12 mo.	120.00	
Tools, plows etc.	20.00	
		~~420.00~~
Apprx. Cash Income of Tenant		424.00

2b.

Page -2- J.W. Wilkins - Con't.

REMARKS Indians Badly Situated	J.W. Wilkins says he estimates about 30% of the share-croppers will not be able to get farms the coming year due to increase in population and inability to clear places of their own. Have had jobs elsewhere in the past but no more jobs now and have to farm to live or starve - " mighty near impossible " for an indian to get on relief- even older people 65 to 70 years of age are turned down and can't get on relief.
Cotton Unprofit-able at .10¢	With cotton at .10¢ a lb. J.W. Wilkins says that raising cotton is " just swapping money ".- " just about enough to bear expenses " - Says on new land, could not growmany cotton or tobacco for new land would carry no contract -
Gov. Project Subsistence Farming	If the government bought new land for a project indians could grow corn, potatoes, watermelons, etc. but there is no market for them - so purchase of new land would mean only subsistence farming , unless cotton and tobacco con-tract system were changed but plenty of indians would be glad to do subsistence farming because they have no place to make a living of any kind now -
Farm Shortage	A lot of share croppers will not be able to get farms the coming year - " I expect 30% of them " . -- Some have made out by " catching a job where they can ", once in a while- a relief or some other job - but some of them are " ready to starve " - some haven't clothes to wear and get pneumonia and die in the winter. (On a number of places visited by me both children and women and folk in the household were without shoes and stockings and even the women's clothes were in rags and tatters. JDP)
INTERVIEWED	Evening of 11/7/35 at home of A.C. Locklear by JDP.

27.

NAME	Archie Woods , age 52
SECTION	Philadelphus Section, Robeson County N.C.
FAMILY	Was one of three brothers and sisters - all three married- His wife and four children living .
OCCUPATION	Tenant farmer - one-half cropper.
HOUSE	Has three rooms - " Worst house in the world - ain't no house at all ". Six people in the house.
Government Project	Would want a three room house to cost $500.00 Would want about 20 acres of tilled land and 10 acres of wood lot.
INTERVIEWED	11/9/35 evening at A.C. Lookleer's by JDP.

28.

NAME James E.Chavis.- Secretary,Siouan Tribal Council.

SECTION Pembroke Township,Robeson County,N.C.

OCCUPATION Farm Owner - (his brother Ulysses Chavis running his farm as a 1/3 cropper this year,but next year James E.Chavis will operate his own place...See Ulysses Chavis report herein for further data.)

Also teaches school at Pembroke.Gets some $83. per month while teaching (8 months);says he has been working almost 30 years to have a home of his own. Bought his present place two years ago.Paid only $1000.for it understanding that the land was not so good as other,more expensive places.Says he never could have saved enough to buy it without the teaching job.

...HOUSE----------Has 3-room house;7 people in it-(2 families);

AGE ~~Aged 39.-I-I-I~~ - House in pretty good shape;needs a 4-room house to cost about $550.00

FAMILY Has wife and one child.Was one of 9 children;all but 3 are grown and married;

FARM See under Ulysses Chavis herein.Says he himself can get a living off his farm but that his brother did not have enough of a money crop to support his family. (Ulysses Chavis' total cash taken in during 1935 was $73.50 from crops and labor.)

REMARKS

Newcomers (white Farmers) Driving Indian Share-Croppers From Farms

Says trouble in this part of the country is that the landlords hereabouts have gone into the N.W.part of the State where farms are smaller,but good tobacco farms,and gotten the farmers to move in here.(This confirmed by John Strickland,A.C.Locklear,and two (white)plantation overseers,J.R.Moore of Fletcher Plantation,and W.R.Beeson of Pates Supply Company's Farms,JDP.)...Says landlords who have done this hereabouts are Paul McNeil,brought in 8 families in 1934 from N.W.part of State;H.B.Ashley brought in several also;W.R.Beeson,Supt.Pates' Supply Co.farms,a division of the John F.McNair Corporation (land corporation)-McNair"a million dollar merchant and landowner"owning thousands of acres - "3 to 5 miles at a stretch in one block on one road"-"Have been bringing in farmers from outside and squeeze the local men out".Do this "to drive a better bargain with the newcomers".Have been doing this about 8 years.

Rehabilit- Says as far as he knows(he is Secr.of Siouan Tribal Council)only 2 Indians out of about 5000 families have received Rehabilitation Loans to help them buy a mule,seed,equipment,etc.,though more applied.

29.

Page 2 - James E.Chavis, cont'd.

Says that on a 1/3rd cropper's farm, if the Government bought it, 3 farm owners could be put on the same land, and would each do as well as the tenant (who only got 1/3rd of all he raised of tobacco and cotton); says that each of those new owners on his own 1/3 of the land would get more off it than the present 1/3rd cropper does now, because as owners they would each "take better care of the land they owned", i.e. would not only farm it better, but would also plant crops like wheat (for flour) that no share croppers plant now, or plant only occasionally

Says 1/3rd Cropper Can Be Replaced By 3 farm Owners.

Farm Owners Would Raise Own Wheat For Flour.

(Note:-Wheat has to be planted in the fall, and most of the share croppers are not told by the landlord until about December 1st whether or not they are to be allowed to have the farm for the succeeding year, so they do not plan on wheat for the mosb part, and therefore have to buy their flour on credit, at exhorbitant prices..See elsewhere for confirmation by different individuals of excessive prices charged on credit accounts by company and other stores.).

Thus a 1/3rd cropper running a 2-horse farm could (theoretically-JDP) be replaced by 6-one horse farmers each owning his own farm, and getting its entire crop for himself.

J.E.Chavis Interviwed.

Interviewed 11/8/35 and again on 11/10/35 by JDP.

30.

NAME S.M.Bell

SECTION Bethel Hill Section,Robeson County,N.C.

OCCUPATION Landowner - Has 61 acres (see below)

AGE Age 60.Was one of eight children,5 girls,3 boys; all of whom lived to be married.

OWN FAMILY Has wife and two children at home,and is raising 3 grandchildren at home;(8 in family now).

HOUSE Has a 4-room house;rooms are 16 X 16 each.

REMARKS S.M.Bell is Chairman of the Tribal Council,Siouan Tribe of Indians of Robeson County,North Carolina.

INTERVIEWED Friday evening(at home of Joseph Brooks,Delegate of the Council) - 11/8/35.

S.M.Bell interviewed as follows:

Farmed Here For 49 Years. He has been farming in Robeson County 49 years out his 60 (boys hereabouts start plowing at the age of 12,and all the children are out picking cotton at the age of 6 or 7 and up.)

Present Farm. Has 61 acres of land now;20 of it cleared;41 acres in woods and swamp.

Land Use. Of 20 acres tilled,had following:

3.6	acres in	cotton (allotment 970 #);
2.0	" "	tobacco(" 1340#);
1.5	" "	peas & alone);
1.5	" "	potatoes and garden (some cane);
11.0	" "	corn (all for home use of selves,& livestock);
19.6		

Fertiliser. (In 1935)used 500# per acres of fertiliser on his cotton;800# per acre on his tobacco;and on corn 125# per acre(and some guano,100# per acre);paid cash for fertiliser,$98.00,obtained from the Government on a loan.

Hired Help. None,except on grading tobacco he paid out $10.00.

Crops Raised.715# cotton (no tax paid);1400# tobacco ($3.00 taxpaid)

All Work. Self,wife,2 children,and 3 grandchildren all pick cotton (youngest 6 years old,-also "hands tobacco

31.

Page 2 - S.M.Bell, cont'd.

around the barn");boy, 12 years old, plows.

Mortgage. Has mortgage over $2000. on place, @ 6%.

Cost of Farm. Paid $3000. for the farm (61 acres) in 1920.

Livestock. Says he has "got about all one mule can handle";has no cow;has 5 pigs (for home consumption.....All pigs on farms hereabouts are for home consumption.);has 25 chickens; 1 goat.

Population Increase. Says Indians in Robeson County have been increasing "right smart" in last ten years. Is continually asked, "where can I find a house?". Says Indian population has increased a great deal faster than the new land (increase) under cultivation, and faster than the number of houses.

Farm Shortage. Says that Haynes Oxendine, age 45, with a wife and 6 children, has not been able to get a farm (on shares) in last 4 years (except this year).

See next page also:

Says that Charles Oxendine, age 65, with a wife, and 2 step-children living with them (one child 10, other younger) had no farm this year, and "no farm for 8 or 10 years, though he tried to get one". (Worked here and there at day wages, averaging around 75¢ per day. See elsewhere herein.)

Land Needs, Average Indian Family of 8. (S.M.Bell thinks that) the average Indian family of 8 should have:

6 acres of	cotton; (cash crop);
2.5 " "	tobacco; (" ");
10.0 " "	corn; (for own use, stock, etc.)
2.5 " "	wheat; (" " ");
.5 " "	cane; (" " ");
1.0 " "	potatoes; (" " ");
22.5 acres	tilled land (as above)
	and also -(for stock)-
2.0 acres of	hog pasture;
2.0 " "	cow pasture;
2.0 " "	oats (for green, rough feed);
2.0 " "	beans (1/2 acre for own use-rest for bean hay, etc.);
.5 " "	garden, more or less; making

some 30 to 31.0 acres TOTAL TILLED LAND, with also some 9 or 10.0 acres of WOODLOT.

40 ACRES NEEDED BY AVERAGE FAMILY. Thinks 40 acres should be the total of a 1-horse (mule) farm.

3a.

Page 3 - S.M.Bell, cont'd.

Suggestions Regarding Government Projects... S.M.Bell, Chairman of the Tribal Council, and Joseph Brooks, Tribal Delegate, both think that if they could pick out 40 responsible Indian families (not now on the land even as share-croppers) they would like to see them put on a Resettlement Project with joint responsibility (this in reply to a question of JDP's); that if this were done with, say, 1/2 logged-over land and 1/2 improved, they could average up the "cash" crop (cotton and tobacco) and have work clearing the unimproved land part of the time. Think some such the best way, i.e. that if Government were to buy land, to buy "some of both kinds" would be best, as, if logged-off land alone were bought, they could only get a subsistence liv ing off it (because new land would not have any tobacco and cotton allotment contracts on it.)

Joint Responsibility. Others present (5) all agreed, after discussion, that they felt it would be good insurance if all of them on a Resettlement Project would be responsible each for the other, that if one got sick or hurt, the others would pitch in and carry his load, and that if there were enough of them on such a project the burden of helping one another this way would not be too heavy and would mean that they would all keep up in their payments to the Government. (JDP initiated the talk.)

Suggestions As To Housing, Etc.. See elsewhere herein for vote of seven present on what a Housing Project House should cost. etc.....

S.M.Bell himself, with 8 in family or household, says he would want, for them, a 4-room house, to cost about $500. (if he had to pay the Government back over a period of years.)

Land Needs. Says that his present 20 acres is enough in his case, as far as tilled land is concerned; that he would need 1 5 acres of woodland.

Little Building Since '28. There has been little or no building since 1928 (until now, when it is starting uo a bit); a lot of people living in tobacco barns; and a good many families in one house, or people crowded into too few rooms.

Large Families. Says average Indian family will be around 8 (checks independently with what Dr.J.G.Faulk just told me. JDP.) and that most of the children live...."Pretty healthy country."

Farm Shortage, (cont'd) Has 2 boys (b.1905 and 1909)-both married-(1 has 5 children); oldest one "couldn't get a farm the last 3 years"; other "hasn't got a farm for next year".

See Page Before...

Cooperatives./ /COOPERATIVES:- Says there are no cooperatives now that the Indians are in; would like to get a cooperative for canning, buying fertiliser, etc., "if on a good basis." (Grange Mutual Exchange for whites.) (33)

NAME	Lee Brewington
SECTION	Bethel Hill Section, Robeson County, N.C., Saddletree Township.
OCCUPATION	Farm owner.
HOUSE	Has better house and grounds around house by far than most places; says he put $350. into house after he got it; house painted inside and out (almost no others were painted); house larger than most. 5 in house.
INTERVIEWED	Sunday, 11/10/35 at his place; one photograph taken of some of those living there - rest away.
REMARKS	Has 40 acres: 3.5 tobacco; 6.0 cotton; 15.0 corn; 3.0 oats; 2.5 miscellaneous, including garden.
Cleared 30 acres.	Cleared 30 out of the 40 acres himself; has been there about 20 years.
Mortgage.	Owes $1500. on mortgage at 5%.
Tobacco.	Was allowed 2900#; raised a bit more; paid $38. tax on excess.
Cotton.	Was allowed 1330#; raised 2200; not all sold yet.
Livestock.	Has 2 mules; 7 hogs; 40 chickens; 1 cow and a used car.
Outside Help.	Paid out over $200. for outside help this past year; (including doing some ditching; had to borrow money to do it and also to send boys to school; paid over $200. last winter to send his 18 year old boy to the Pembroke High School (his last year) and more this year for the boy's first year at the Indian Normal School.

NAME	Joseph Brooks - Delegate ,Siouxx Indians of Lumber River.
SECTION	Pembroke Township, Robeson county N.C.
OCCUPATION	Farm Owner; Owns 2/3 of an acre ; rents 4.5 acres at $7.50 per acre stated rent ;
AGE	31 years old
FAMILY	Wife and three small children ; Six in household (one girl of 19 , a relative boarding with them) ;
HOUSE Room Dimensions Construction Etc.	Four room house - frame - matched pine inside, 5 to 6 inches wide ; wood floor (single thickness - as are all the houses visited) ; 2 stack chimney (rather, twofire places in the one central chimney) ; and stove flue separate ; tin roof ; Living room and kitchen , 14 ft. x 16 ft. each ; 2 bedrooms 10 x 16 ft. each ; porch, 8 ft wide by 16 ft long ; outside of house sheaved with " German " siding ; house built in 1926 ; built when " ceiling " was about $50.00 per thousand ; - now about $18.00 to 25.00 per M.
Building Cost Etc.	Says same house today could be built for $400.00; A.C. Locklear says it would cost $500.00 today (JDP agrees with latter) ; Chimney took 1400 brick at $15.00 per M; and $8.00 labor (eq uals 2 days at $2.00 each for 2 men - $1.50 for 3 bags of lime at .50¢ each ; 1 bag cement .98¢ and two chimney irons at .50¢ each); Ceiling 9 ft high - if building again would make them not over 7 or 8 ft. as too high ceiling make it cold in winter ; house set on wood blocks ; no plaster ; two bedrooms are unfinished inside ; living room and kitchen - walls and ceiling are finished with " ceiling " ; house two feet above the ground as are most or all of the houses visited.
INCOME	Had three acres of tobacco and not on government contract; sold $486.00 worth of tobacco, net , after tax had been pd. at .04¢ per lb.; no cotton; 1 acre of corn ; well fertilized; produced about 32 bushels ; as four hogs; 40 chickens ; bought 2 tons fertilizer at $26.50 per ton ; 200 # soda cost $3.00; 2 bags 8-3-3 fertilizer, $3.12 ; Paid out $40.00 for outside labor
INTERVIEWED	Thursday 11/7/35 at his place by JDP

35.

NAME	Rutherford Brooks,
SECTION	White Hill Section, Robeson County N.C.
OCCUPATION	Farm Owner - 8 1/3 acres.
FAMILY	Self and wife and two small children.
HOUSE	Two room house - metal roof over beams (no ceiling) - interior not finished at all - only three windows in house - house set on wood blocks- open space under eaves all around - part practically open to weather - largest room is old - has fire place on one end - a newer 12 x 15 foot ell has no windows but an opening with a wooden shutter - Newest part of house cost probably $15.00 for lumber, $5.00 for shingles (see photograph of house elsewhere) - entire house could not have cost more than $125.00 to $150.00.
FARM	Raised four acres of corn - 15 bu. per acre - got .60¢ per bushel cahs for it - has a small garden and a dozen chickens - two pigs - one ox to do the plowing, but has no feed for the ox and says he will have to to sell it.
REMARKS	Rutherford Brooks has only one leg but seems to get around very well on the one good leg and a crutch.
INTERVIEWED	11/7/35 at his place . JDP.

NAME Nathanid Dial.

SECTION Pembroke Township, Robeson County, N.C.

OCCUPATION Farm owners. Son does the farming.-Farm being foreclosed.

AGE Age of Nathaniel Dial 95; wife "80 odd";

FAMILY 12 on place; son 42; (son's wife dead)-son's 2 children; sister and sister-in-law; sister's 2 children; and his (N.D's) 3 brothers, aged 40, 39 and 30.

HOUSE 2 small houses in poor condition. / 12 people in 2 houses 2 rooms in 1 "; 1 room in other.

FARM Have 60 acres; in litigation, being foreclosed on for debt of about $2000.-Say they are charged 10% interest-

*Debt. (6% the legal rate but lenders seem to get around this. JDP.)-Debt has been on the place since 1926. Debt was $500. at start and then borrowed some money on long term loan and pay "10% on that", per H.D. Dial.

Crops No tobacco contract; have 9 acres in cotton but no contract (so have to pay 4¢ a pound tax on all the cotton they raise which makes it impossible for them to make any money on the cotton crop. JDP.)-Have 9-10 acres in corn (all consumed on place); raised 3 acres of tobacco (and paid the tax, of 4¢ per pound);

Crowding In the 3 rooms above-mentioned there are 12 people, as noted; being 2 families and 2 single men (H. Dial's brothers) and one single woman (his sister).

INTERVIEWED Sunday, 11/10/35 at their place. 2 photos taken. JDP.

*Note on above debt.....From remarks made by others interviewed it was said that anyone borrowing money from the man the above family had borrowed from was sure to lose his place, that "nothing would satisfy the debt except the land"-that this particular lender went around "buying up debts" and foreclosing on them. JDP.

NAME A.C. Locklear

SECTION Pembroke Township, Robeson county N.C.

OCCUPATION Farmer - land owner - land lord. Has several tenant share-croppers.

HOUSE Has a modern brick house - built last year when his old one burnt down - walls plastered - 6 rooms - 2 porches - 2 windows in every room - water supply outside the house from a hand pump. His was the only indian house with plastered walls of brick construction and was by far the most prosperous and best looking place seen by JDP. (who stayed with the A.C. Locklears for the three and half days he was in Robeson county) .

FARM A.C. Locklear works one farm of his own and has several tenants - J.W. Wilkins, Hezzie Dees , etc. reported elsewhere herein.

A.C. Locklear is in no need of help financially or otherwise, so no report is made on his livestock etc., but he has plenty of mules , milk cows, goats , chickens, hogs (7 large ones) and garden space , wood lot etc. and decidedly well off in comparison with the other indians visited on their places or interviewed by JDP.

A.C. Locklear is a leader in his community - a member of the Tribal Counsel , Siouan Indians of Lumber River - Mr. Locklear's wife is one of Joseph Brooks' sisters .

REMARKS A.C. Locklear agrees with J.W. Wilkins in estimating the percentage of indians who will not be able to get farms this year at 30% - says he has one or two indians "come here every day " and try to get farms but that they can not get them and " that is why they perish " - because they can't get food and get pneumonia in the winter from lack of " proper " clothing and food - says lots of people get pneumonia from lack of something to wear - The County Board takes just a few of them on relief - will let a lot of them sign up (for relief) but want give them the work - thinks the Government should buy mostly improved land- Want cost the Government" a bit more " - " or hardly as much " as unimproved land (i.e. with the added cost of clearing the unimproved land) - Says one man was at his place yesterday before 7:00 A.M. and another today after a farm, has none for rent.

Farm Shortage

Lack of Clothing.

Relief Needs

Gov. Project

INTERVIEWED At his home 11/7/35 evening by JDP.

NAME Betsie Locklear

SECTION Pembroke Township, Robeson county N.C.

OCCUPATION Farmer ; farm owner;

FAMILY 8 in family; son Jim does most of the farming.

HOUSE Four room house.

FARM Farm- 30 acres;

Crop Acreage And Income

(a) 1.1 acres of tobacco - 1071 # - brought $65.00 - $65.00
(some sold at 6¢,8¢,10¢);

(b) 8.2 acres of cotton ; got 11 1/4 ¢ for 3 bales,
11 ¢ for 1 bale ; raised 2100 # - 270 short
of allottment ; cotton brought total $201.30 - 201.30
Cash crops brought total ..... $ 266.30

(c) 8.0 acres in corn ; about 20 bu. per acre ;
total 150 bu. at .50¢ cash value per bu.;
but use it all on the farm. ..... ____

(d) Has had only four days work off his on place in
1925; Got $1.25 per day - 12 hr. day ..... $ 5.00
271.30

(e) Sold the cotton seed from 4 bales ---------- 68.00
Total cash income, gross .....$ 339.30

Bought fertilizer and soda $105.00
Real estate taxes 14.10
$119.10 119.10

INCOME (Net) NET CASH INCOME $ 220.20

REMARKS Besides above acreage in crops there was about one acre in potato patch and garden, making, with 1.7 acres unaccounted for, 20 acres of tilled land; 10 acres in woods- 30 acres total.

Land Needs Planning on some time getting 2 or 3 more acres of cleared land (I.e. will clear it themselves) - need between 24 and 25 tilled land in all.

Farm Shortage * Jim Locklear, age 27 son of Betsie Locklear, says " a lot of them can't get farms " ; can't get a farm without stock, and even if they have a mule they can't get a farm often.

Cost of Mules A mule worth $170.00 last year is worth $225.00 this year - mules come from the west and drouth has put the price up.

INTERVIEWED 11/8/35 on their place by JDP.

* Jim Locklear was born and raised on the place he is now on.

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NAME	Durant Locklear - Interviewed 11/8/35 on his place by JDP.
SECTION	Pembroke Township, Robeson county N.C.
OCCUPATION	Farm Owner - also supplements his living putting down drilled wells and installing pumps - mostly overhaul work.
FAMILY	8 in family - 4 boys , 21,18,16 and 15 years of age and 2 single and 1 married girl (latter living in Pembroke)
HOUSE-6 room House Details	Has a new house cost $875.00 - frame construction - built in 1935 - size 26-36 ft (see photograph) Green composition roof,house painted inside and out, german siding, interior finished " B and better " grade of " ceiling " pine (native) - one thickness floor - chimney with one fireplace and stove flue in it also - house has six rooms, good front porch - house set on brick columns, windows of four lights each, two windows in all but one room - did work himself on house - would have cost him $125.00 more if he had hired it done (didn't spend over $50.00 on labor) - Another man offered to do all carpentry work on house for $175.00 - did his own mason work. House would have cost $1,000.00 if he had hired it done by others .
FARM	26 acres with house (50.4 acres in all , counting 2 nearby tracts) - Tills only 26 acres in all - trying to get the other 24 acres in shape to plant corn. This year had 7 acres in cotton, 3 in tobacco and 16 acres in corn and peas , garden etc.
Land Needs	With his size family (8) figures he needs about twice the tilled land he now has . Has about 1/2 in potatoes and garden and his wife says he needs a 1 acre potato patch alone and 1/2 acre more for vegetables. Last year the potatoes they had rotted after they dug them so did not plant so many this year. Do some canning but not enough fruit for themselves (did not have enough on place and could not afford to buy fruit).Fruit wormy on trees, fall before ripe " just would not do for canning".
Brothers Share-Croppers	Says he has 5 brothers,all farmers, and all had farms this year, all 1/2 croppers (2 have to move Dec. 1st. and have yet to find farms for 1936)
Stock Farm	Durant Locklear had one of the best stock farms of any place visited - a new barn just completed - 24 x 45 ft. (see plan given elsewhere) - Material cost $178.00 for lumber (4000 ft, frame and all) and metal roof (about 17 sqs.) and bricks etc. for sills.
One-horse farm	says family of 5 can get along on 18-20 acres tilled land and 8-10 acres of wood land- " the way things are going now."

40.

NAME	R.M. Lowry
SECTION	Burnt Swampt township.
OCCUPATION	Farm owner; 118 acres; three horse farm; has three tenants- 1/2 croppers, and three others " stated renters " and runs one farm himself. Is a member of the executive committee of the local Democratic organization, was Chairman of local School Board.
INTERVIEWED	Sunday 11/10/35 in his district by J.D.P.
REMARKS	Says there are about 250 voters in his township; all but 15 are indians (only 12 col. families and three white)
Crop Acreage	Says that, after paying their debts, his three sharecroppers will have about $350.00 each- that each of his sharecroppers has five acres of cotton to the horse and 2.5 acres of tobacco to the horse; each has about 9 or ten acres of corn per horse.
Family Crop Needs	Thinks each family should have about threee acres of tobacco, five to six in cotton, and 10 in corn, with garden, to get the (decent) living.
Farm Shortage	Never saw so many indians who will be without farms; has had at least 20 in the last three weeks to tell him they want be able to get a farm next year; Thinks reasons are that they are marrying (and having children faster than they are dying) and that causes more families than previously and landlords are not building; also from other counties white families are moving in and claiming they are good tobacco growers; and landlords are trading with the newcomers and removing indians; " they (Indians) have been hurt more in this section than anywhere else, I think ".; Even men with stock (mules) can't get a trade- they are cut out of a crop.
Indians Hurt Worse than Whites	

NAME H.H.Oxendine, aged 70.

SECTION White Hill Section, Robeson County, N.C.

OCCUPATION Farm owner; landlord - on this one farm "50 years".

FAMILY His son helps to operate the farm.

FARM Operations 5-horse Farm. Opened up a 5-horse farm - 135 acres tilled - 35 acres in wo dlot - 170 acres total; "cleared it all himself"- Land cost at start was as high as $9.00 an acre then with timber on it.

Crop Acreage

3.8	acres	tobacco
27.0	"	cotton (11 bales this year)
.5	"	cane (used on place)
1.0	"	sweet potatoes (" ")
9.0	"	wheat (use most of it)
8.0	"	oats (for green feed)
.5	"	garden
1.0	"	rye (for grazing)
70.0	"	corn (about 15 bu.per acre, but not picked yet)
4.0	"	hog grazing
124.8	acres	accounted for as above, tilled land.

60 acres of peas, planted in the corn.

Livestock 5 mules - 2 cows - 12 hogs (out of 35, rest died of cholera) - 60 to 75 chickens.

Yields, etc. 11 bales cotton @ 11¢ = $55.00 per bale.....$605.
1000 bushels of corn, but mostly used on place, .$500.
3.8 acres tobacco...3500#(son's tobacco).....2670.
Approximate gross income.....$1775

Expenditures Bought 15 tons fertiliser @ $24.00..$360.
4 tons soda @ $35..... 140.
Yearly expense for equipment, about... 40.
1 hired man 5 months @ $15.00 per month and he boarded himself..... 75.
Picking 2 bales of cotton..... 15. 630.
Approximate net income (with corn).....$1145.

Net Cash Income (?) Deducting corn, mostly used on place, leaves $ 645.
Less cost of cotton ginning @ $3.75 per bale- 41.25
Approximate net income (taxes not known)---$ 603.75

Cotton Seed Gets all cotton seed back but uses it all as fertiliser on the wheat, oats, rye, etc.

Hog Pasture Pastures hogs on 30 acres of the peas-Disk in the rest for green manure.

42.

Page 2 - H.H.Oxendine, cont'd.

Tenants	Has also 2 tenant farmers included in the 170 acre figures (just given)-i.e. crops given areas for the full place.
1/3rd Cropper Status	2 tenants are 1/3 croppers - H.H.Oxendine furnished house, mules and land, and fertiliser. Gives the two tenants back their seed (he and one or two others are the only landlords I found who do this. JDP.) - or buys it back from them and puts it on the land for fertiliser.
Farm Shortage	Says the majority of his people (Indians) "can't get farms"- Not enough land to go around. Biggest body of
Land Companies	(white) landowners get together (in corporations, etc.) and buy up land to keep, to use it for themselves, or to let it out to tenant farmers.
Landowners Neglected Farms	Says landlords also-a majority of the- have mortgaged their places on long loans, have bought cars, etc., and "went riding around, not working"- got badly in debt, themselves, so that today a lot of the landlords "haven't got credit enough themselves to carry the tenant while the crop is growing."
Plenty of Tilled Land	If tilled land in Robeson County were cut up into lots, and each Indian owned his own land, there would be enough tilled land to care for them all.
Plight of 1/3rd Cropper	As it is now, with 1/3rd croppers, not many of them can feed and clothe their families, must go barefoot and keep their children out of school for lack of clothes and shoes.
Foreclosures	Says thousands of acres of tilled land in Robeson County are not used - owners having been dispossessed and land lying idle.
Government Project Types of Land	Thinks Government should buy partly improved land and partly logged-over lands. "It would help to give them (the Indians) something to do, getting paid to clear the logged-over lands (all close enough to where they live to get back and forth easily.)
Cost of Clearing	To clear logged-off lands - (ready for farming) - says "I don't think it can be done for less than $50.00 per acre" and cost of canals for drainage extra, on top of that.
Bad Times Cotton Unprofitable	------Says "starvation is at the door"-"taxes eat up profit on everything..If you can't raise what you need you can't get money to buy anything"..."Haven't been getting money back on cotton." Says cotton and tobacco tax are what "is perishing the country."

43.

INTERVIEWED 11/8/35 on his farm. JDP.

NAME	John R. Oxendine , age 56.
SECTION	Saddletree Section, Robeson county N.C.
OCCUPATION	Farm owner - 30 acres
FAMILY	Self, wife and one child
FARM	30 acres - 15 tilled
Mortgage	$800.00 mortgage , federal Land Bank - Int. 5%
Debts	Owes $1200.00 at the store - bill has run four years there at 6% - Used to charge 10% (three years ago) but now 6% .
High Cost Of Credit Buying	Bag of flour - 24 lb. bag - recently bought by him on credit cost $1.25 - could have gotten it for .90¢ cash.
REMARKS	Has been on the place 25 years - now being foreclosed for the store lien.
INTERVIEWED	11/11/35 at 5:30 A.M. at house of J. Brooks by JDP.

NOTE With reference to case of John R. Oxendine - above - one of his neighbors remarked that he knew the situation and that J.R. Oxendine had not applied the money he made on the farm to reduce the loans - and so had gotten further into debt continually - but this was the only case of it's kind I heard of definitely . JDP

NAME	Andrew Woods
SECTION	Philadelphus Township, Robeson county N.C.
OCCUPATION	Farm Owner
FAMILY	Self and wife - his son and son's wife and their three children- Another son's widow and her four children - total 12 people in three houses but one of the houses is a tobacco barn.
HOUSE	As above.
FARM Crop Acreage	30 acres - 25 acres tilled - 5 acres woods - 4.0 acres cotton - 4 bales at 11 ¼ ¢ brought $221.00 less (a) cotton tax .... 24.00 (b) fertilizer etc... ? 5.0 acres of tobacco - brought ..... 625.00 2.0 acres of wheat 3/4 acres of oats .5 acre of garden 11.0 acres of corn(for own use)made 14 bu. per acre.
Fertilizer	Bought fertilizer and soda amounting to about $110.00
Taxes	Real Estate tax last year 14.40
Outside Help	Paid cash to outside labor picking crops..... 40.00
Livestock	Has two mules - one cow - four hogs - 75 chickens .
Allottment	Raised more than their 5100 # allottment of tobacco - Have sold their 5100 # allottment and will have 1500 # more to sell with processing tax of .04¢ per lb. on it - (so this $60.00 processing tax to be deducted from the $625.00 above)
Income For 12 People About $600.00	Figures his total cash income for three families (12 people) at: Gross cash income .....$846.00 Less Expenses above..... 248.40 Total net cash income .....$597.60 Approximately
INTERVIEWED	11/8/35 at his farm by JDP.

NAME C.H.Bell - (about 50 years of age.)

SECTION Bethel Hill Section,Robeson County,N.C.

OCCUPATION Carpenter and Builder.(Also farmer,but his family does most of the farm work.).....He was in process of building an $800. house on Sampson St.,West End of Pembroke, when interviewed.(See photograph of house elsewhere herein.)...Data on the house he is building given below

FRAME HOUSE COSTS IN ROBESON COUNTY. (Just completed by above) - Frame House;5 rooms;cost $750. or so;made of rather low-grade lumber;(house right next to it on same street,belonging to Sampson, an Indian School Teacher,cost about $100.00 more,and is of better material,though same size approximately... See,also,picture of Sampson house elsewhere herein.)

Cost of wiring and painting are included in the C.H. Bell house at $750.00 but not cost of lightning rods. (Most new houses hereabouts have lightning rods.JDP.)

DESCRIPTION OF HOUSE. See under PHOTOGRAPHS herein elsewhere.

FARM SHORTAGE...Says he knows of plenty of families that can't get farms;"good farmers,great tobacco growers".

LANDLORDS, Organised In Grange. Says "landlords want more and more,and give less and less";landlords won't pay for grading,though they used to pay for it;landlords made tenants pay for "poison and twine this year...Didn't used to do that"(before 1934);landlords have organised,in 1934-5 in the Grange, and refuse to pay for grading;"it has come back to nigger slavery";landlords will help the white man but "not the Indian".

Home Shortage. Section with Indians is short on homes...More marriages than deaths.(Everyone confirmed that.JDP.)..Knows of plenty of families with crowded conditions.Says his sister's house (Florence Lowry's home) has 3 1/2 families in it - 12 people in 3 rooms.

NAME	Benny Locklear
SECTION	Red Banks Section, Robeson county N.C.
OCCUPATION	Farm Laborer
INCOME	Gets $20.00 per month - works in the fields " 'till sun 'till sun " - 11 to 12 hour day in spring and summer- has to board himself and pay for his own food - " All they have to eat and all they have to wear for self and wife and mother " .- Works about eight months per yr.
HOUSE	Lives in landlords house .
Garden	Gets " not a quarter of an acre " place for garden, potatoes etc.
Livestock	Has two hogs, 10 or 12 chickens .
Fletcher Plantation	Fletcher Plantation with 1100 acres of tilled land allows about 1/4 to 1/2 acre per family for garden space - Benny Locklear says the tenant families should have from one to one and one half acres for garden and potatoes .
Farm Shortage	Says " plenty of them ain't even able to get a farm "
INTERVIEWED	11/8/35 by JDP.

NAME Clarence Lowry.

SECTION Bethel Hill Section, Saddletree Township, Robeson Co. NC.

OCCUPATION Stated renter (farmer); has paid stated rent of $3.00 per acre on 55 acres the past 4 years ($165. rent for farm).

AGE Aged 28.

FAMILY Has wife and 5 children, oldest 8 years old.

HOUSE 1 room house; 7 people in it (House worth about $50.00)

AUTOMOBILE Has a new car; says he "bought it out of the farm"; and that he does better on stated rent than he could do share-cropping. Says couldn't have bot car share-croping.

INTERVIEWED Sunday, 11/10/35 at his place; 1 photograph taken.

REMARKS

Crop Acreage.

Farm of 55 acres:

5.5	acres	of tobacco
10.0	"	" cotton
30.0	"	" corn
2.0	"	" oats
.5	"	" garden
2.0	"	" bean hay
5.0	"	not planted
55.0	total.	

Allotment. Tobacco allotment, 795# per acre; will have to "buy" 3-400# of tobacco; - cotton, allotment - raised just enough cotton to fill their allotment.

Earnings. Reckons he will clearx around $200. after paying his bills. (Note: -Other stated renters without exception told me they paid $5.00 per acre "stated rent"....so this man has an advantage over them of $2.00 per acre, or a gain on his 55 acres of $110. a year over amount he would clear if he paid the usual $5.00 an acre. JDP.).

His father works a 2-horse farm (figured in with this) and will not clear anything this year. His brother helps his father to farm.

Government Project. Would want about a 4-room house if he could get it; house to cost about $700.; and would want about 15 acres of cleared land and 10 acres of woodlot.

NAME	Eli Lowry, Age 43
SECTION	Philadelphus Township, Robeson county N.C.
FAMILY	Has wife and eight children, all at home (10 in household) Was himself one of two brothers.
OCCUPATION Wages of Farm Laborer	Farmer (when he can get a farm) but could not get a farm this year 1935. Stayed in the house (on the farm he had the previous year as a share cropper) had no garden- no land- worked for wages about one half the time - Got 12¢ per hour working on tobacco - " rates about 50¢ per day on the average ", ten people had to live on that income- the oldest child, a girl 18 , got some work,; the youngest is 7 months old .
HOUSE	The house is in now has three rooms, ten in the household- all one family - the house " H'ain't a bit of good at all - just staying in it."
Needs	Would want a four room house which would cost about $700.00.
INTERVIEWED	11/10/35 at A.C. Lockleer by JBP.

NAME	Lawrence Maynor, age 29
SECTION	Philadelphus Section Robeson county N.C.
FAMILY	Was one of nine brothers and sisters - three of them married (to date) - Has five children living - seven in his household now .
HOUSE	Has three room house , seven people in it - all one family - condition of house - bad - " Ain't no house at all ".
Government Project	Would want a three room house, cost about $500.00. Would want 5 acres tilled, 5 acres of wood lot.
INTERVIEWED	11/9/35 evening at A.C. Locklear's . JDP.

50.

NAME	W.I. Beeson (white)
OCCUPATION	Farm Overseer for Pate's Supply Co., Pembroke N.C.
REMARKS Corporation Farming	Have about twenty farms hereabouts with share-cropping tenants - " 1800 acres in one boundary - but mostly woods " in that one block -
Indians as Share-Croppers	Out of 23 tenants (share-croppers) has 20 Indians share-croppers - two colored families and one white - (Indicating that the Indians must be considered pretty good farmers hereabouts . JDP)
	Says that he himself farmed previously in Guilford County N.C. - that (white) landowners hereabouts (in Robeson County) went to Guilford County - Stokes - and Surry Counties , N.C. - in 1929 and got good tobacco growers there to come into this section as share-croppers - that he himself knows of about 20 to 30 families from about three counties who started coming down here in 1929. (" could call very nearly all the names who came from up near there ")- Says they stopped coming two or three years ago - Says that he himself in 1929 was the first one of these families to come down from the North-Central section of the state - all are share-croppers .
INTERVIEWED	11/9/35 evening at his house in Pembroke JDP.

51.

NAME	Dr. J.G. Faulk, (white) Doctor at Pembroke N.C.
OCCUPATION	Runs the drugstore in Pembroke and acts as physician to several hundred indian families.
REMARKS Indians Reliable	Three-quarters of his practice is amongst the Indians - Says he " puts a lot on his books ", but gets paid better than he would in a white community - Says he has been here three years -
Population Increase	Says that the whites, indians and negroes are increasing fairly rapidly - he thinks that Pembroke Township, Philadelphus and Red Banks - and area within five to seven miles of Pembroke is getting more crowded than the rest of the county - Thinks that there are about ten times as many Indians as Whites in this radius - (See 1933 birth rate statistics for Robeson County, elsewhere herein - showing birth rate by races - also 1933 birth rate for Pembroke Township by races .) - Says there is just a white family " ocassionally " .
Size of Indian Families	Thinks the average Indian family would go eight people, two parents and six children - but believes this a low estimate. Says he visits four to five hundred different Indian families in a year .
INTERVIEWED	11/8/35 at his office by JDP.

NAME	A.C. Locklear
OCCUPATION	Farm Owner and Landlord, member of the Tribal Council.
REMARKS Importation Of White Share-Croppers into Co.	Says that Paul McNeil (white) at Buies N.C. had 50 to 75 acres of tobacco with a number of Indian families as share-croppers working for him, but in 1935 he took all the tobacco contracts away from the Indians and gave them to white people whom he had moved in from out of the county, and the Indians had to move out or stay on as day laborers or were limited to farming cotton and corn and - A.C. Locklear says - there is only a " poor living " in that .
INTERVIEWED	11/10/35 at his place by JDP.

53.

NAME	J.R. Moore (White)
OCCUPATION Fletcher Plantation	Overseer of the Fletcher Plantation, Red Banks Section Robeson County, N.C. - 1100 acres of tilled land - 674 acres of wood land.
REMARKS 18 tenant Farmers	Has been on this farm as overseer for 11 years . Have 18 tenant families (share-croppers) - six laborers-work 33 mules.
1/3 Croppers	All but one of the tenants are 1/3 croppers - one tenant is a half cropper. None of them get the seed (from the cotton) - says the average cropper on the Fletcher Farm has about $100.00 after paying what he owes -
Share-Croppers Income	The farm gives the share-croppers credit at the company store or commissary on the property - says one man - having ten acres of tobacco and twenty acres of corn (no cotton) - had about $700.00 clear last year (1934) and will do it again this year
	Out of the 18 share-croppers about two last year just about broke even (where the family had a lot of children) that this year (1935) about three families will just about break even but that these families have hired too much of their work done or are small families (with not enough children to help with the picking etc.)
White Share-Croppers From Other Counties	Says there are a good many new white (tobacco) share-croppers coming in from the North-Central part of the state for the past three years - thinks the big (corporate) farms are harmful to the county, that they carry on too much of this tenant system - says "home ownership is what this county needs " -
Recommends Indian Families As Resettlement " Clients "	(After eleven years , overseeing 18 tenant share-croppers - growing tobacco, cotton and corn) Mr. Moore says " I would rather risk the Indians on a Resettlement proposition than Whites for this county here " - Out of 18 share-cropper under his supervision on the Fletcher Plantation 15 are Indian families , and three are colored - " about the same ratioa the last eleven years " (that he has been there as overseer)-
Excellent Farming Record	(Mrs. Ellen Jacobs , one of the Indian tenants included above , with her husband who died two years ago, has been a share-cropper on the Fletcher Plantation for 19 years - as reported elsewhere herein.
BUILDINGS	The Fletcher Manor house (occupied by Mr. and Mrs. Moore) was suggested by Mr. Joseph Brooks - Tribal Delegate - as a good building for a community center (if the Fletcher Estate is considered for purchase)
INTERVIEWED	11/9/35 at his home JDP.

54.

Page -2- J.R. Moore, Supt. of Fletcher Plantation, Cont'd.

Shortage of Farms	Says this fall he has had two or three share-croppers a day looking for a farm for the coming year - says share-crop system " is ruining this country ".
	Says the natural increase in farm families and no increase in farms or cultivated land, or farm buildings, means fewer farms to go around.
Fletcher Plantation	Says it would be a waste to tear down most of the present share-crop houses - that they can be fixed up for about $300.00 a piece on this place - (26 houses)
Condition of Present 26 Houses	Most of the houses are from 22 to 23 years old - a few forty to fifty-five years old, but made of good material originally.

" Make Haste Slowly "	(In continuation of above subject - and in confirmation -) Mrs. Moore says " should give the Indian people second hand tools , house , etc. - better than they have now - and teach them to use those things before giving them a new house and everything else new.
Pe llagra	Were only three milk cows on the Fletcher Estate eleven years ago - now sixteen cows - were twenty-eight cases of active pellagra on the place then - none now - due to tenant share-croppers using more fresh vegetables today. (and having more garden space today than they did then)

NAME	Mrs. J.R. Moore (white)
SECTION	Red Banks Section, Robeson county N.C.
OCCUPATION	Relief Worker - Visitor - Social Service Division - North Carolina Emergency Relief Administration . - (Wife of the Overseer of the Fletcher Plantation which has eighteen tenant farmers , fifteen of whom are Indians)
REMARKS	Says that a Mrs. Holmes (Indian) assists her in the Relief work .
Indian Cases on Relief	About 700 active relief cases in the county now and of that number it is a conservative estimate to say that one-third of them are Indian families (see also BAKER REPORT which confirms this number) - The need for relief is increasing rapidly at this time (middle of November) due to seasonal labor stopping on the farms . The need will rise to something like 1600 families for all three races for the entire county - (during winter)
Unskilled Indian Worse off Today	Most of Mrs. Moore's work is with the Indians and she states that " their physical and economic condition is worse now than it was a year ago " - " Some have improved remarkably but the unskilled day laboring type is in greater need of relief today than a year ago " -
Dealing Three Years with Indian Relief	She has been dealing with many of these relief cases for the past three years - Says they used to get out and hunt for work and though work has " played out " , relief cases today want take work if offered to them .
Indian Gardens	Relief clients had a number of gardens,, mostly successful - Mrs. Moore got gardens at Pembroke for eighteen Indian families - failed to get them for two families - and one family refused to tend a garden when offered the chance (and the relief mule to plow it) - The relief gardens averaged about 1/8 of an acre in area - they were given the seed - neediest cases were given fertilizer also.
Malaria Prevalent in 75% of Relief Cases	Have a tropical form of malaria in this district - nothing to clear it up - and it has been getting worse and worse - about 75% of relief cases in the county have malaria and Mrs. Moore says she can not blame malaria cases for making no effort to help themselves - W.P.A. trying to get a project through to drain the stagnant places - but a difficult task - says if Indians are well they can be encouraged to try to do something for themselves as " there is a pride about them " .
WPA Wages	Says WPA paying 95¢ for seven hours work - five day week.
INTERVIEWED	11/9/35 at her home by JDP

56.

*POPULATION FIGURES:-North Carolina-Robeson County& Pembroke Township.

(1) Population of North Carolina:-

	POPULATION	INCREASE OVER THE PRECEDING CENSUS-
1930 -	3,170,276	23.9%
1920 -	2,559,123	16.0%
1910 -	2,206,287	16.5%

(2) Population of Robeson County,N.C.:-

	POPULATION	INCREASE OVER THE PRECEDING CENSUS-
1930 -	66,512	21.7%
1920 -	54,674	5.3%
1910 -	51,945	-----

(3) Population of Robeson County,N.C.by Races:- (Note:-Not given by Races for 1910 and 1920)

Robeson County -	1910	1920	1930
Whites.....	-------	------	31,323
Indians.....	-------	------	12,405
Colored.....	-------	------	22,784
TOTAL.....	51,945-	54,674	66,512 -(Totals as next above.)

(4) Population of Pembroke Township,in Robeson County,N.C.(Note:-This Township in 1933 had 199 births of which 6 were Whites;97 were Indian;and 6 were negro - i.e.the population is about 89% Indian-so given here for comparison -JDP):-

PEMBROKE TOWNSHIP (89% Indian)	1910	1920	1930
Pembroke Township..	1,935	2,388	3,179
Town of Pembroke...	258	329	524

Pembroke Township (cont'd)

		INCREASE OVER THE PRECEDING CENSUS-
1930 -	3,179	33.1
1920 -	2,388	23.4
1910 -	1,935	----

57.

*All Figures this page taken from Fifteenth Census of the U.S.-1 930 ;
(1) Figures from page #779--(2) from page #795(also #3 from same page);
and (4) from page #795 also.JDP.

*Population Figures - BIRTHS and Deaths - 1923 and 1933.

For Year of 1923 for North Carolina and Robeson County:-

	Births	Ratio Per M	Deaths	Ratio Per M	1923, Total Population.
(1) North Carolina.....	84,190	31.3	32,396	12.0	**2,694,228
(2) Robeson County.....	1,698	31.0	557	10.1	**...55,002
(3) Robeson County by Races:					
White.....	774	(5) 30.4	(4) 260	10.2	**...25,490
Indian.....	372	41.3	98	10.9	**... 8,997
Colored.....	552	26.9	192	9.7	** 20,515
Total.....	1,698		557		55,002

*From Annual Report - Bureau of Vital Statistics of the North Carolina State Board of Health for 1923:-(1) above, from page 7 of the Annual Report; (2) from page 8; (3) from page 15; (4) from page 10; (5) from figures as computed from other data above.

** As computed from the other official figures given hereinabove.

For Year of 1933 for North Carolina; Robeson County; and Pembroke Township (the center of the Indian Communities in the State):-

1933:-	Births	Ratio per M	Deaths	Ratio per M	1933-Total Population
(a) North Carolina.....	75,322	23.0	30,496	9.3	***3,277,071
(b) Robeson County.....	2,030	(c) 23.7	(d) 654	9.5	***...68841 6884
(e) Robeson County by Races:-					
White.....	928		(f) 294	(f) 9.1	
Indian.....	445		129	10.1	
Colored.....	657		231	9.8	
TOTAL.....	2,030		654		*** 68841

*** As computed from other official figures given herein above.
(a) Figures for 1933 for the entire State taken from page 16 of the 1933 Bulletin, Bureau of Vital Statistics, at State Board of Health Office, Court House, at Lumberton, N.C. on 11/9/35 JDP
(b) Figures of 1933 Births for Robeson County, tabulated on 11/9/35 by JDP from individual birth certificates (originals) in the vault of the County Clerk of Robeson County, at the Court House at Lumberton, N.C....(c) Computed therefrom...JDP
(d) and (f)-Figures on Robeson County deaths for 1933-are from page 70 of 1933 Bulletin of the Bureau of Vital Statistics, at State Board of Health Office, Court House, Lumberton, N.C.

For Figures on Pembroke Township see next page.

*Population Figures - For Year 1933 (cont'd) - for Pembroke Township in Robeson County, N.C. (the center of the Indian Communities)):

Number of *Births in Pembroke Township in 1933:-

		Total Births	Percentage of Total:
Births by Races:-	Whites...	6	5.5%
	Indians..	97	89.0%
	Colored..	6	5.5%
	Total..	109	100. %

**Population of Pembroke Township for Year 1933 estimated to be about.....3494

Total births, as above..... 109

Birthrate per thousand..... 31.2 for 1933 for Pembroke Township.

*Figures on Births in Pembroke Township in 1933 t abulated from individual Birth Certificates at County Clerk's Office, Robeson County Court House, Lumberton, N.C. 11/9/35 JDP.

**Population of Pembroke Township in 1930 was 3,179, and adding 315 more for the 3 year period between 1930 and 1933 (at rate of 3.31% increase per year, which was rate of increase for previous 10 year period..See previous page herein.)

JDP. 59.

RURAL (SCHOOL) *ENROLLMENT - Ages 6 to 21 - for

Robeson County, North Carolina

For two full terms - 10 years apart - 1924-5 and 1934-5

Showing Increase in Daily Enrollment and Attendance for the 10 year period by races:

	DAILY ENROLLMENT - (average)-		DAILY ATTENDANCE	
	High Schools	Elementary Schools	High Schools	Elementary Schools
INDIANS:-				
*1934-5	429	4130	352	3260
*1924-5	134	3130	101	1952
Gain....	295	991	258	1308
% Gain..	220%	31.5%	255.4	67%
WHITES:-				
*1934-5	1445	6408	1249	5132
*1924-5	1144	6030	916	4427
Gains-	301	378	333	705
% Gain..	26.3%	6.3%	36.4%	15.9%
COLORED:-				
*1934-5	549	6131	458	5169
*1924-5	36	5922	22	3987
	513	209	436	1182
% Gain..	1425%	3.5%	1981.8%	29.6%

SUMMARY:- NET GAINS:- Averaged Daily Enrollment - of both High Schools & Elementary Schools

Indians-39.3%; Whites 9.5%; Colored 12.1%.

NET GAINS:- Averaged Daily Attendance - of both High Schools & Elementary Schools

Indians 76.3-Whites 19.4% Colored40.4%

*Figures from COUNTY SUPERINTENDENT'S REPORT, at Robeson County Court House, Lumberton, N.C., taken down by me on 11/9/35 - 60.

JOHN PEARMAIN

*POPULATION FIGURES - NORTH CAROLINA -

AVERAGE NUMBER OF INHABITANTS PER SQUARE MILE:-

The avarage number of inhabitants per square mile was

In 1930.....65.0

In 1920.....52.5

Increase per Square Mile. 12.5

Or 23.8% increase in the 10 year period from 1920 to 1930.

*Note:-Above figures from the Fifteenth Census of the United States, for year of 1930, from page #779.JDP.

CENSUS FIGURES-U.S.Dept.of Commerce - Agriculture - North Carolina.

Figures for ROBESON COUNTY for *1925 - *1930 and **1935:-.....

On Farm Ownership - Tenant and Share-crop Farming,etc.....

			10 Year Gain or Loss:-
Number of Farms.....**	1935-	7,996	.....Gain of 948 or 13.5%
No.of operators..... *	1930-	7,666	
No.of operators..... *	1925-	7,048	
Full Owners.....all.	1935-	1,260	....(1).Loss of 70 or 3.4%
White Owners,Number.	1930-	1,263	
" " "	1925-	1,369 /	(1)1,369
			661=2,030 for 1925 as
Colored Owners,Number	1930-	601	ag ainst 1960 for 1935 =
" " "	1925-	661 /	Loss of 3.4% as above.
Part Owners.....all.	1935-	379	....(1).Gain of 11% (11) -
" " -WHITE...	1930-	176	or 2.9%
" " " ...	1925-	173 /	(1) 173
			195=368 for 1925 as
Part Owners-COLORED.	1930-	200	against 1935's 379=
" " " .	1925-	195 /	Gain of 2.9% above.
Tenants.....all.	1935-	5,636	....(1).Gain of 1001 or 21.6%
Tenants,White.....	1930-	1,861	
" "	1925-	1,389 /	(1) 1,389
			3,246
Tenants,Colored.....	1930-	3,558	4,635 for 1925,total -
" "	1925-	3,246 /	as against 1935 total of
			5,636 = 21.6% gain,as above.
Cash Tenants.....			
(Stated Rent)White	1930-	113	
"	1925-	73	
Colored	1930-	71	
"	1925-	69	
Share-croppers:all...	1935-	2,519	....(1) Gain of 677 or 36.8%
" " White...	1930-	791	
" " "	1925-	434	(1) 434
			1408=1842 for 1925 as
" " Colored...	1930-	1,722	against 2,519 total for
" " " ...	1925-	1,408	1935 = gain of36.8 as
			above noted.
Other Tenants:White..	1930-	957	NOTES:-*1925 and *1930
"	1925-	882	figures from Page #20-County
Colored.	1930-	1,682	Table #1 North Carolina,1930
" .	1925-	1,769	Census,Dept.of Commerce -

**1935 figures from Bureau of Census Release of Oct.22,1935- JDP (62)

FARM CENSUS - Preliminary Report -(as obtained 11 /9/35 at Robeson County Court House, Lumberton, NC. by JDP.)
U.S.Dept.of Commerce - Release of 10/22/35 - /

(Inventory Items for 1/1/35 -Production Items for Year of 1934).

ROBESON COUNTY, NORTH CAROLINA:-

	CENSUS OF:- 1935:-	1930:-
1. Value of Farms, Land & Buildings: =Loss of 18.3%	$17,114,189.	$20,879,151.
2. Average Value per Farm..... =Loss of 21.1%	$ 2,140.	$ 2,724.
3. Average Value per acre..... =Loss of 32.7%	$ 41.18	$ 61.24
4. Farm Land According to Use (acres) Crop Land Harvested: % Decrease. =Loss of 3.2%	195,250	201,608
5. Crop Land Idle or Fallow: (acres) =Loss of 22.0%	10,257	8,003
6. Land Available for* Crops: (acres) * = land, harvested, failure, idle, fallow, and plowable pasture..... =Loss of 1.6%	210,239	213,862

MISCELLANEOUS FARMING DATA from "The Robesonian" Published Oct.24, 1935, at Lumberton, N.C.-

Robeson County had a total of 415,545 acres of land in farms this year (1935 (as of 1/1/35-)

Acreage of Harvested Crops in 1934 totalled .....195,250 a.

Average Size of farms(tilled land and Woodlot)..... 52 a.

Corn harvested for grain in 1934 showed an increase of 22,403 a. over 1929. (Mostly used for feed on the farm, apparently. JDP.)

"The hay crop of the County (was) more than 4 times that harvested 5 years previous."

Wheat - 2,183 acres and 29,651 bushels in the 1935 Census (for year 1934-JDP), as compared to 136 acres and 1,760 bushels in the 1930 Census.

Tobacco - 20,909 acres as compared to 24,292 acres 5 years ago.

63-

*1934 Census - Robeson County, N.C.

**1930 Census - Robeson County, N.C. Figures for 192 9 and 1924.

All acres in Crops.....(1934).....209,500

*Acres in Corn.....(1934).....	67,001	a.
No. of Farms Growing Corn.....	4,267	
Average acreage in corn.....	20	a.
Percentage cultivated land in corn.....	41.5%	
**Acres in corn.....(1929)-Total area.....	64,065	a.
**" " " .....(1924)-" "	53,743	a.

Cotton Acres.....(1934).....	59,940	a.
.....(1934) No. of Farms with cotton...	3,844	
Average acres in cotton...	15	a.
% of cultivated land in ".	28.6%	
Acres in Cotton....(1929). Total area.....	97,730	a.
" " " ....(1924)." "	84,887	a.

Tobacco: Acreage...(1934).....	19,559	a.
No. of Farms growing Tobacco	3,131	
No. of acres average in "	6.0	a.
% tilled land in tobacco..	9.3%	
Acres in Tobacco...(1929). Total acres.....	24,292	a.
" " " ...(1924)." "	11,794	a.

*1934 Census - Robeson County, North Carolina, figures from the "FARM FORECASTER"- Frank Parker, Statistician, Raleigh, N.C., Annual Issue - 1935 (September)- as obtained by JDP from U.S. Dept. of Agriculture Representative O.O. Duke, at Robeson County Court House, Lumberton, N.C., 1 1/9/35.

** 1929 and 1924 figures from 15th Census of the United States, page 254 - U.S. Dept. of Commerce, Bureau of the Census, Year 1930. Figures for Robeson County North Carolina

JDP. 64.

SIZE OF INDIAN FAMILIES:

Notes made evening of Friday, 11/8/35 at home of Joseph Brooks, Tribal Delegate; the other five dropping in and joining the talk.

Those present:

* James Locklear, aged 71; from Pembroke Section; came from family of 12 brothers and sisters; all lived to be grown; 11 married. He himself married and has 8 children.

S.M.Bell; age 60; from Bethel Hill Section; was one of 5 girls and 3 boys; all lived and married; has 2 children himself.

* Norman Locklear; age 46; was one of nine brothers and sisters; all but one grew up; 8 of them are married; he himself has eight children; is from Bethel Hill.

* Riley Locklear; aged 40; was one of six brothers and sisters; all grew up and married; has seven children himself; is from Saddletree Section.

Joseph Brooks; aged 31 years; from Pembroke Section; was 1 of 14 children; 13 of them grew up to be married; has 3 children himself.

Warren Dial; from Saddle Tree Section; was 1 of 13 children; 12 grew up and married; has 5 children himself.

Mrs. Joseph Brooks; (ne Sally Johnson); was 1 of 15 children; 10 living; 3 married; her youngest brother now only 1 1/2 years old. She herself is 31 years old.

SUMMARY:-

The 7 people above came from seven families that had 77 children in all and, to date, 61 of them have married (Mrs. Brooks' brothers and sisters are counted in the 77 but most of them are still under age.)

The six families above have 33 children to date, or an average of 5.5 children per family, making with the parents ..7.5 persons per family, for those who were present.

* Note:-The 3 Locklears present were no relation to each other.

JDP. 65.

CONDITION OF PRESENT HOUSES:- (Notes on Repairing Same - See Below)

9 men present Sunday, 11/10/35 at A.C.Locklear's;

Said the condition of their houses was as follows:-

* (A) Willie Locklear (son of Henry, but lives separate)
* (B) Jessie Jacobs - (no relation)
A (A) W.M.Jacobs
(B) Luke Jones
(B) Jimmy Maynor
(B) Riley Jones
(B) Henry Locklear
(B) Lloyd Chavis
(B) Clarence Blank

* (A) = House in pretty good shape.

(B) = House in bad shape.

VOTE ABOVE;
8 houses reported in poor shape -
1 " " " good shape -

Out of above 9 men, and 2 more, voting on whether or not they would rather have their houses repaired at a cost of $100. to $200. each, or have the Government build them new houses at around $500. each -

1 (John A.Locklear) said he would rather have a new house -

2 (Joseph Brooks and Jessie Jacobs) said they "would like it either way" -

8 (the rest of those above) said they would rather have their present houses repaired at a cost of $100. to $200. than owe the Government $500. or so on the cost of a new house.

Above votes taken 11/10/35 at home of A.C.Locklear. JDP.

HOUSE NEEDS FOR AVERAGE FAMILY.

Notes made evening of Friday, 11/8/35, at home of Joseph Brooks, Tribal Delegate. Others dropped in to discuss matters. (S.M.Bell is Chairman of the Tribal Council, Siouan Indians of Lumber River.)

The following vote as follows on cost of a Government Project house (for each of their respective families) if each had to live in it and pay the Government back himself over a period of years:

Number in each Household now.	NAME of each Voting.....	Number of Rooms Needed for Each	Would want House to Cost.
7	Warren Dial	5-room house.	$850.00
6 (see below)	Joseph Brooks	4-room house.	$500.00
9	* Riley Locklear	5-room house.	$600.00
10	* Norman Locklear	5-room house.	$600.00
8	S.M.Bell	4-room house.	$500.00
--	Mrs.J.Brooks (see below)	5-room house.	$850.00
5	* James Locklear	4-room house.	$500.00

45 people; 6 families; wanting total of 27 rooms; or average of 4.5 rooms per family (of 7.5 people).

(Averaging Mr. and Mrs. Brooks' costs of houses wanted) gives $3925.00 as total cost of houses wanted by the six families; or an average cost per house wanted of $654.00 for 4.5 rooms.

* Above 3 Locklears not related to each other

JOINT RESPONSIBILITY:

All six (of the men whose names are given above) are agreed that there might well be joint responsibility, of all families in a Government Project, for each family's debt to the Government.

NEED LAND WITH CONTRACTS ALREADY ON IT:

All six of the same men agree that any Resettlement Project might best be about 1/2 improved land (tilled) with tobacco and cotton contracts on it, and about 1/2 logged-over land (woods). ...They use green gum wood to some extent for curing tobacco.

NUMBER OF YEARS AT FARMING IN THIS DISTRICT..ABOVE 6 SIOUANS:-

Warren Dial, aged 52, farming here 18 years; Joseph Brooks, aged 31, farming here 3 years; Riley Locklear, aged 40, farming here 30 years; N.Locklear, 46 yrs, farming 36; S.M.Bell 59," 49; J.Locklear 71 yrs old, farming 42; = aver. 29.7 farming. 67.

LAND NEEDS FOR AVERAGE FAMILIES:

Notes made evening of Friday, 11/8/35, at home of Joseph Brooks, Tribal Delegate. Others dropped in to discuss matters.

Those present voted as follows:

NAME	No. in Household.	Number of Acres Now.	Extra Needed.	Total Acres Needed (TILLED)
Warren Dial	Seven " " " "	22 tilled.	None.	22 Acres "
* Riley Locklear	Nine	25 "	6	31 " "
* Norman Locklear (see note on ")...	Ten " "	...Would want.....		40 " "
S.M.Bell (note)	Eight " "	20 acres.	None.	20 " ("enough)
Joseph Brooks	Six " "	5 "	10	15 " tilled.
* James Locklear	Five " "	...Would want.....		22 acres " .
		Total, Tilled Land-		150 acres.

* Above no relation to each other.

NOTE:-To explain difference between needs of Norman Locklear for 40 acres, and S.M.Bell for 20 acres -the first with ten in his household, the second with eight in his household:-

In Norman Locklear's household of ten, five of them are grown men or grown boys, so he needs 40 acres of tilled land; while in S.M.Bell's household of eight, he himself is the only grown man in the family; he has only one boy, born in 1923; so 20 acres are enough for him.

SUMMARY OF TILLED LAND NEEDS OF ABOVE SIX FAMILIES:-

45 people in the 6 households need 150 acres of tilled land; or average of 25 acres of tilled land per household of 7.5 people = 3.3 acres of tilled land per person regardless of age or sex.

Woodland Needed by Same Households: ACRES WOODLAND.

Warren Dial with 7 in household would need			15	acres woodland.
Riley Locklear " 9 " "	"	"	15 "	"
Norman Locklear " 10 " "	"	"	20 "	"
S.M.Bell " 8 " "	"	"	15 "	"
** Joseph Brooks " 6 " "	"	"	10 "	"
James Locklear " 5 " "	"	"	15 "	"

Six households, would need.....Total.. 90 acres "
or average of 15 acres of woodland per household; 45 people -making 2 acres of woodlot per person..

68.

** Note:-Joseph Brooks has 5 in family, but boards 1, making 6 in house.

ACREAGE IN TOBACCO AND COTTON - AMOUNTS RAISED ETC.

	NAME	TENANTS etc.	TOBACCO	ALLOTMENT	RAISED	COTTON	ALLOTMENT	RAISED
	S. Bullard	1/2 cropper	none	_____	none	40 a.	85000#	10,000 #
	E. Oxendine	1/3 cropper	2 acres	1630#	1846 #	11.5 a.	1915 #	4 ,750 #
	L. Revel	1/2 cropper	0	-------	----	17.0 a.	1250 #	9,000 #
	A. Strickland	1/2 "	3.5	2878#	3000#	28.0 a.	3295 #	10,500#
	H. Locklear	1/2 "	1.6	1100#	1350#	18.5 a.	1980 #	2500 #
	S. Maynor	1/2 "	1.2	?	?	20.0	5006 #	6250 #
	J. Locklear	1/3 "	0	0	0	9.0	2985 #	3735 #
	L. Maynor	1/2 "	0	0	0	9.0	1830 #	2500 #
*	J.E. Chavis	Owner	0	0	0	5.0	1130 #	585#

* Note J.E. Chavis says he has a debt of $83.00 after the crop was picked (for 2/3 of one large bale of cotton raised by his brother Ulysses S. Chavis- see report on latter)

INTERVIEW:

Above tabulated 11/9/35 evening at home of A.C. Locklear from statements of individuals present .

JDP.

LABOR AND MATERIALS COST IN ROBESON COUNTY, N.C., November, 1935:

WAGES:

Carpenters - $1.50 to $3.00 per 10 hr day -
(Boss carpenter @ 30¢ per hour).
Carpenter's helpers - $1.25 per day.

Masons - $3.50 to $5.00 per day (10 hrs)

Painters - $2.50 per day.

Union Labor None.

Above per* D.F.Lowry, Active in Sicuan group.
(Interviewed 11/7/35* - an R.F.D.Mail Carrier.

G.M.Hatcher, Carpenter and Builder, gives local wages as follows:

Boss Carpenter, gets 50¢ per hour; other carpenters $1.50 to $2.25 per day (10 hours) -

Mason - 45¢ per hour -

Rough Labor $1.50 per 10 hour day -

MATERIALS

Can get all lumber for building locally, except windows and doors..Per A.C.Locklear, who has built 5 houses here.

Prices on Lumber, etc. as given by: ITEMS:-	G.M.Hatcher- Carpenter & Builder:	D.F. Lowry
Rough pine lumber, 2 x 4, etc..... (above, any size, delivered at job)	$ 15.00 M	$15.00M
Sized by planer.....delivered.... (above all a local product)	$ 16.-17.00	$17.00 M
Flooring &"Ceiling"-.....	$ 25.to 40.M	$20.-$35.
German Siding.....	$ 25.- 35.M	
Cement.....(100#.bag)..	~~$~~-------	$ .65 bag
Lime.....(50# bag)...	----------	$ .35 "
* Bricks..Fall of 1934 were $11.50 per M - Now slightly higher.....	$ 14.- 15.M	

* Bricks cheapest when bought at the brick yards in South Carolina.(Price on bricks includes delivery by truck.) Note:-G.M.Hatcher, D.F.Lowry seen 11/8/35 JDP.

70.

INTEREST RATES ;

REMARKS	Following remarks made by various Indians present at home of A.C. Locklear on Sunday 11/10/35- JDP.
10% Charged Many Times	The majority of lenders (hereabouts) charge 10% - not legal but it is done in many cases .
Higher Int. paid	A.C. Locklear says that he has paid as high as 25 cents on the dollar on a loan .
Hard getting out of Debt	Farm Owners , if they borrow from some people , hereabouts are sure to lose their places - and " nothing will satisfy the lender except taking the land itself ".
Legal Rate	6% is the legal rate of interest .
Exhorbitant Cost of Credit Buying	On credit at store all present (nine men) are agreed that a 24 lb. bag of flour costing .90¢ cash costs 1.10" on the books " - " up to $1.25 on the books " - Then the merchant gives you a coupon book and takes another 10¢ coupon out of it for interest - (i.e. - if you buy a $10.00 book of coupons they take $1.00 in coupons out of it before they give you the book and still take $1.10 in coupons for a bag of flour)
	Amos Jones had to pay $1.35 for a bag of flour in credit coupons that he could have bought for .90¢ cash per his brother Luke Jones - Says his brother has the receipt at home to prove it . JDP.

MISCELLANEOUS

LARGE CORPORATIONS

Large Corporation like the McNairs of Laurenburg N.C. have bought up whole areas and put in the share-crop system - own a lot of land in Robeson County - Per a number of people including A.C. Locklear - and " anyone who gets in debt to them is fairly sure to lose his place " - Next to impossible to get out of debt once in debt to them - Notes of 11/10/35 JDP.

LAND

Baker Tract

Baker Tracts - on two main canals - 498 acres more or less - Price asked $5,000.00 - four house on it but are in bad condition - main road on each side of it - fairly good land - a lot of it logged off .

Per A.C. Locklear 11/7/35 JDP.

Beaufort Lumber Co. Sales at $10.00 per Acre

Beaufort Lumber Company lands near Pembroke N.C. - The company sold off various small parcels of land for $10.00 per acre in five acre or larger tracts - Took one-third cash then one-third sectond year - one-third succeeding year - sold 80 acres to John Oxendine at $10.00 per acre.

Per Joseph Brooks 11/7/35 JDP.

Crop Contracts

Land lord gets from $8.00 per acre on cotton up to $17.00 per acre on tobacco for not planting those crops.

Per Joseph Brooks 11/10/35 JDP

Indian Farmers Above Average

The following Indian farmers were said to be better than the average in the crops they raised - etc. -
A.C. Locklear - Farm owner and land lord -
J.W. Wilkins - Share-Cropper
Boss Jacobs - Share- Cropper on land of A.C. Locklear

Per Notes of 11/7/35 JDP.

Crop Sequence

" Raise children off the first crop (wheat) & feed stock off the hay that follows the wheat " -
Per Sheldon Bullard 11/9/35 JDP.

Indians in Pembroke

Pembroke with population of between five and six hundred total appears to have more than three-quarters of them Indians ..Per Joseph Brooks 11/7/35 - (Note I saw almost no white people yesterday or today in the several times we drove through - or stopped in - Pembroke - JDP. 11/8/35

72.

National Archives RECORD GROUP 75, CENTRAL CLASSIFIED FILES 1907-1939, FILE 64190-1935-066-GENERAL SERVICES, PART 1-A.

80 PAGES (numbered on the back) BUT ONLY NUMBERED UP TO 78 AS THERE IS A PAGE 8A & A PAGE 42A

SELTZER REPORT
1936

PARTIAL COPY

Cambridge, Mass.
July 30, 1936.

Commissioner of Indian Affairs
Office of Indian Affairs
Washington, D. C.

Dear Mr. Commissioner:

I have the honor to submit the following report dealing with the question of the degree of Indian blood of the so-called "Robeson County Indians" of North Carolina.

All the data contained in this report were collected in June 1936 in Robeson County, North Carolina in my capacity as a member of the "Eastern Siouan Indian Commission". In accordance with instructions received separate racial diagnoses were made for each individual with the purpose of determining whether the applicants examined did or did not possess one-half or more Indian blood. No distinctions or designations were made as to tribal affiliations of the subjects. These diagnoses were based solely on the manifestations of physical characteristics of known racial significance as interpreted by the science of physical and racial anthropology.

In order to facilitate the digestion of this large mass of material I have added to the body of the report several short notes as follows: 1. a summary of the racial diagnoses, 2. a chart of racial characters of diagnostic value, 3. a few notes on technique used, 4. a glossary of abbreviations to be found in the anthropometric records, and 5. an appendix of miscellaneous photographs principally of non-adults. Explanations of many other technical details are given in the body of the material.

And finally, I wish to take this opportunity to bring to your attention the names of several persons and institutions whose aid I received during the course of this work contributed in no small manner to the successful completion of the report. To Dr. H. Scudder Mekeel under whose direction this project was carried on I owe many thanks for helpful assistance. Many thanks are also due to Mr. D'Arcy McNickle and Mr. Edwards S. McMahon of the Office of Indian Affairs for their continuous cooperation throughout the work in the field. To Major G. C. Dunham, Director of Laboratories of the Army Medical School at Washington, D. C. I am very grateful for the large supply of sera necessary for blood group tests. And to Professor E. A. Hooton,

Chairman of the Division of Anthrtogy, Harvard University great indebtedness is due for the loan anthropometric instruments and camera equipment, as well as for lconstant interest in this whole work.

Respectfully submitted,

Carl C. Seltzer

(sgd.) Carl C. Seltzer
Associate Anthropologist.

SUMMARY OF RACIAL DIAGNOSES

Case No.	Name	Diagnosis
1.	Zion Lowry	Border Line case.
2.	Jimmy Locklear	Less than 1/2 Indian blood
3.	Bennie Chavis	"
4.	Britton Maynor	"
5.	Britton Locklear	"
6.	Sion H. Wilkins	"
7.	Henry McGirt	"
8.	Maturs Wilkins	"
9.	Isaiah Locklear	"
10.	Cquinn Brooks	"
11.	Dock Wynn	"
12.	AAron Revel	"
13.	Boss Jacobs — p. 16 in Nov. 1935	"
14.	Rubert Woods	"
15.	Willian Jacobs	"
16.	Mareller Wilkins	"
17.	Eli Lowry	"
18.	Winnie Woods	"
19.	Thomas Allen Locklear	"
20.	Eula Jane Jacobs	"
21.	Willian O. Maynor	"
22.	Hugh Brayboy	"
23.	Sean Brooks	Border line case. Doubtful Diagnosis. Probability 1/2 or more Indian blood.
24.	Lindsay Revel	Less than 1/2 Indian blood.
25.	Sylvester Emanuel	"
26.	John R. Brooks	"
27.	Jesse Ozendine	"
28.	Duncan L. Locklear p. 7 in Nov. 1935	"
29.	Romeo Jacobs	"
30.	Colan Locklear	"
31.	Sherman Locklear	Doubtful diagnosis. Probability towards less than 1/2 Indian.
32.	Noah Woods	Less than 1/2 Indian blood.
33.	Braxton Strickland	"
34.	Junie A. Locklear	"
35.	Joe Dial	"
36.	Ruby Jacobs	"
37.	Luther Locklear	"
38.	Boss Locklear	"
39.	Emma Locklear Jacobs	Border line case. probability towards less than 1/2 Indian.

June 4th

Case No.	40.	William Locklear	Less than 1/2 Indian blood.
	41.	Sabastian Sampson	"
	42.	Joe Chavis	"
	43.	Lawrence Maynor	1/2 or more Indian blood.
	44.	David Junior Brooks	Less than 1/2 Indian blood.
	45.	Henry Locklear — p. 18 of Nov. 1935	"
	46.	Danny Deese	"
	47.	Riddie Locklear	"
	48.	Shaw Deese p. 4 of Nov. 1935	"
	49.	Maudie Ellen Maynor	"
	50.	Clinnie Jones	"
	51.	Howard Chavis	"
	52.	Reader Jones	"
	53.	Oscar Hammonds	"
	54.	Hubbard Chavis	"
	55.	Clarence Chavis	"
	56.	Allie Byrd Hammonds	"
	57.	Levi Thomas	"
	58.	Eli Chavis	"
	59.	Jasper Locklear p. 8 of Nov. 1935	"
	60.	Iller Mae Chavis	"
	61.	William A. Chavis	"
	62.	Sara Elizabeth Maynor	"
	63.	Viola Clarke	Doubtful diagnosis.
	64.	Hector Brooks	Less than 1/2 Indian blood.
	65.	Corbitt Chavis	"
	66.	Howard Lowry	"
	67.	Montgomery Dial	"
	68.	Daniel Richard Maynor	"
	69.	Minnie Locklear	"
	70.	Merilda L. Miller	"
	71	Doil Locklear	"
	72.	Loy Locklear	"
	73.	Narsissus Sampson	"
	74.	Worth Sampson	"
	75.	Vestia Locklear	1/2 or more Indian blood.
	76.	Thornton Lowry	Less than 1/2 Indian blood.
	77.	Whitfield Locklear	"
	78.	Stinston Revels	"
	79.	L. W. Revels	"
	80.	Dolly Locklear	"
	81.	Luther Chavis	"
	82.	Cora Lee Lowry	"
	83.	Ada Chavis	Border Line Case. Probability towards less than 1/2 Indian.
	84.	Arrie Bullard	Less than 1/2 Indian blood.
	85.	Carson Jones	"
	86.	Harley Ransom	"
	87.	Vera Mae Locklear	"
	88.	Robert Locklear	2

Case No.	89.	Claude Lowery	Less than 1/2 Indian blood.
	✓90.	Jesse Brooks	1/2 or more Indian blood.
	91.	Addie Belle Locklear	Less than 1/2 Indian blood.
	92.	Braddy Locklear	"
	93.	Josephine Locklear	"
	94.	Alf Lowry	"
	95.	Daniel Locklear	"
	✓ 96.	George Locklear	"
	97.	Percy Locklear	"
	98.	Willie Jones	"
	99.	Richmond Locklear	"
	100.	Annie Liza Chavis	"
	101.	Tecumseh Locklear	"
	102.	Dunie Hugh Wilkins	Border Line Case. Doubtful diagnosis.
	103.	Frank Cummings	Doubtful diagnosis. But probabl less than 1/2 Indian blood.
	104.	Cloyd Chavis	Less than 1/2 Indian blood.
	105.	Kermit Lowry	"
	106.	Mary Wynn	"
	107.	Joe Sinclair Lowry	"
	108.	Corn Mae J. Brewington	"

1869-1872

CHART OF RACIAL CHARACTERISTICS OF DIAGNOSTIC VALUE

Characters	NEGROID	WHITE	INDIAN
Skin color:	black or dark brown	light	red brown to medium brown
Vascularity:	absent	present	absent
Freckles:	absent	present	absent
Moles:	absent	present	absent or very few
Hair form:	woolly or frizzly	straight, wavy, curly	straight
Hair texture:	coarse, wiry	all types	pred. coarse
Baldness:	infrequent	frequent	absent
Beard quantity:	sparse	moderate to pro.	very sparse
Body hair:	very sparse	moderate to pro.	very sparse
Grayness of head:	infrequent	frequent	infrequent (very)
Grayness of beard:	infrequent	frequent	infrequent (very)
Hair color:	black	from blond to black	black or dark brown
Eye color:	dark brown or black	from blue to dark brown	black or dark brown
Eyefolds:	absent	often present	frequent
Eye obliquity:	moderate to small	moderate to small, down	moderate to pronounced
Eyebrow thickness:	moderate	all types	submedium
Eyebrow concurrency:	absent to slight	all types	absent
Nasion depression:	pro. to very pro.	all types	moderate to submedium
Nasal root height:	very slight	moderate to pro,	pronounced to moderate
Nasal root breadth:	pronounced	moderate to submedium	moderate to submedium
Nasal septum:	convex	all types	all types
Nasal bridge height:	submedium	moderate to pro.	pronounced to moderate
Nasal bridge breadth:	pronounced	moderate to submedium	moderate to submedium
Nasal profile:	concave or straight	all types	convex, sometimes straight
Nasal tip:	snub	all types	all types
Nasal tip thickness:	pronounced	moderate to submedium	moderate to submedium
Nasal tip inclination:	up	all types	all types
Nasal wings:	flaring	moderate to submedium	all types
Nostrils frontal visibility:	pronounced	all types	all types

CHART (Continued)

	NEGROID	WHITE	INDIAN
Nostrils: shape,	round to medium	thin and medium	medium and thin
Nostrils Axes:	transverse to oblique	parallel and oblique	oblique
Lips integumental thickness:	pronounced	medium and submedium	medium or submedium
Lips membranous thickness:	pronounced	medium to submedium	medium or submedium
Lips eversion:	pronounced	medium to submedium	medium or submedium
Lip seam:	Present and well-dev.	usually absent	usually absent
Alveolar prognathism:	pronounced	usually absent	slight or absent
Chin prominence:	submedium	all types, frequently pronounced	submedium
Malars frontal prominence:	pronounced	medium to submedium	pronounced to medium
Malars lateral prominence:	moderate to slight	medium to submedium	pronounced
Gonial angles:	moderate to submedium	all types	pronounced to moderate
Ears, helix:	pronounced	all types	all types
Ears, antihelix:	pronounced	all types	all types
Ear lobe size:	small	all types	all types
Ear protrusion:	submedium	all types	all types
Occipital protrusion:	usually pronounced	all types	in most areas absent or sm.
Lambdoid flattening:	sometimes present	often present	virtually absent
Occipital flattening:	absent	infrequent	very frequent
Cephalic index:	prevailingly dolicho	all types	in most areas brachy
Nasal index:	platyrrhine	lepto and mesorrhine	leptorrhine and mesorrhine
Cephalo-facial index:	prevailingly below 93	in low 90's and 80's	high, usually over 95 in brachys, lower in dolicho
Relative span:	high	moderate	moderate
Facial index	all types	all types	low
Upper facial index	all types	all types	low
Relative sitting height:	usually low	moderate	moderate

Notes on Technique

The measurements were taken according to the International Agreement and as recorded by Dr. Ales Hrdlicka in his "Anthropometry" published in 1920. The observations are those agreed upon by the Division of Anthropology at Harvard University under the direction of its Chairman, Professor E. A. Hooton. The instruments used were the anthropometer, spreading caliper, sliding caliper, and steel tape. For skin color, the Von Luschan color scale was utilized. Weights recorded are those given by the subjects. Head height was obtained by subtracting the height to tragion from the stature. Weight is given in pounds, all gross body measurements in centimeters, and head and face dimensions in millimeters. Photographs were taken by means of a Leica camera, model F ?, with f 1:4-- 9 cm. lens.

Blood grouping was done personally by this investigator in the field. Fresh sera A and B necessary for the tests were very kindly supplied by the Army Medical School in Washington, D. C. The blood groups are designated as O, A, B, and AB, indicating the presence or absence in the red blood cells of the two iso-agglutinable substances A and B. Blood groups were determined as follows: a drop of known Group A serum was placed on one end of the slide and a drop of B serum on the other end. A very small amount of the subject's blood was thoroughly mixed with each drop of serum. Gentle agitation of the serum-blood mixture was maintained by tipping the slide backward and forward for about ten minutes. Presence of agglutination was then recorded. If only A serum-blood mixture showed agglutination, the group recorded was B. If only B serum-blood mixture showed agglutination, the group recorded was A. If both A and B sera-blood mixtures showed agglutination, the group recorded was AB. If neither A or B sera-blood mixtures showed agglutination, the group recorded was O.

UNITED STATES INDIAN SURVEY

Place Pembroke, N. C. Date June 6, 1936 Observer C. C. Seltzer Recorder M. Mayne

No. 36 Sex M Occupation Farmer Race 1

Education No read, no write Birthplace Maxton, N. C. Name William Locklear

Residence Maxton, N. C. Father's Birthplace Maxton, N. C. Mother's Maxton, N. C.

Brothers 2 Sisters 5 Sons Daughters

Religion Reel 5 Frames 5.6 Marital State, sing., mar., div., wid.

Age	43	6	Head Circum.	54.8	17	Sh-Hip. 12/13	73	32
Weight	160	7	Head Length	193	18	Thoracic 18/14	82	33
Stature	169.4	8	Head Breadth	144	19	Rel. Sit. Ht. 16/8, 9	52	34
Tragion	157.4	9	Head Height	120	20	Ceph. 20, 21/18, 19	75	35
Acromion	140.2		Minimum Frontal	94	21	Length-Ht. 23/18, 19	62	36
Radiale	104.3		Bizygomatic	147	22	Breadth-Ht. 23/20, 21	83	37
Stylion	80.8		Bigonial	116	23	Fronto-Par. 23/20, 21	65	38
Dactylion	61.5		Total Face Ht.	135	24	Ceph-Fac. 24/20, 21	102	39
Span	182.0	10 11	Upper Face Ht.	75	25	Zygo-Fr. 23/24	64	40
Biacromial	38.8	12	Nose Ht.	55	26	Fronto-Gon. 23/23	122	41
Bi-iliac	28.3	13	Nose Br.	44	27	Zygo-Gon. 23/24	79	42
Chest Breadth	26.5	14	Nose Salient	20	28	Facial 24/24	92	43
Chest Depth	19.0	15	Jaw L.	106	29	Upper Facial 27/24	51	44
Leg	37.0		Bi-ot	93		Nasal 29/28	80	45 46
Sitting Ht.	87.8	16	Inter-oc	35		47		
Trunk	55.3		Rel. Sh. Ht.					
			Rel. Span 10, 11/8, 9	197	30	Group blood type O		
			Rel. Sh. Br. 12/8, 9	23	31			

48 Skin color Forehead	49 Skin color Breast or in. arm	50 Vascularity	51 Hair form	52 Head hair, quan.	53 Body hair	54 Hair color Head	55 Hair color Beard, mustache
1 Pale 25	1 Pale 15	(1) Abs.	1 Str.	1 Sm.	1 Abs.	(1) Black 27	(1) Black 27
2 Pink 3	2 Pink 3	2 Sm.	(2) L. W.	(2) +	2 Sm.	2 Dk. br. 4-8	2 Dk. br. 4-8
3 Brunet 7, 8, 9	3 Brunet 7, 8, 9	3 +	3 D. W.	3 ++	(3) +	3 Brown 7-9	3 Brown 7-9
4 Swarthy 10, 11	4 Swarthy 10, 11	4 ++,	4 Cur.	Baldness	4 ++	Grayness, Head	4 Red br. 4, 10
5 Red. br. 12-14, 16	5 Red. br. 12-14, 16	Freckles	5 Frizz.	(4) Abs.	Grayness, Head	5 Abs.	5 Gld. br. 11-14
(6) Lt. br. 15, 17, 18	(6) Lt. br. 15, 17, 18	(5) Abs.	6 Wool.	5 Sm.	5 Abs.	6 Sm.	6 Ash br. 23-26
7 Lt. y. br. 4, 5	7 Lt. y. br. 4, 5	6 Sm.	Texture	6 +	(6) Sm.	7 +	7 Golden 17-19
8 Y. br. 19-20, 6	8 Y. br. 19-20, 6	7 –	7 Coar.	7 ++	7 +	8 Ash 20, 21	8 Ash 20, 21
9 Med. br. 21-26	9 Med. br. 21-26	8 ++	(8) Med.	8 + +	8 + +	9 Red 1-3	9 Red 1-3
10 Choc. 26 29	10 Choc. 26 29	9 Massed	9 Fine	Grayness, Beard	Grayness, Beard	10 White	10 White
11 Dk. br. 30-36	11 Dk. br. 30-36	Moles	Handedness	9 Abs.	9 Abs.	11	11
12 Black 36	12 Black 36	(10) Abs.	10 Right	10 Sm.	10 Sm.	12	12
		(11) Few	11 Left	11 +	11 +		
		12 Many	12 Ambi.	12 + + +	12 + +		

58 Eye Color	57 Pigment Mixed eyes	58 Eyelids Epicanthus	59 Eye Globosity	60 Eyebrows Concurrency	61 Forehead Slope	62 Nasal Root ht.	63 Nasal Bridge ht.
1 Black 1	1 + + + dk. 6	(1) Abs.	1 Abs.	(1) Abs.	1 Forward	1 Sem.	1 Sm.
2 Dk. br. 2, 3	2 + + dk. 4	2 Sm.	(1) Sm.	2 Sm.	2 Abs.	2 Sm.	2 +
(3) Dk.-lt. br. 27	(3) Even 7, 8	3 +	3 –	3 +	(3) Sm.	(3) +	(3) ++
4 Lt. br. 4	4 + + lt. 9, 11	4 + +	4 + +	4 + –	4 +	4 ++	4 + + +, sem
5 Gr. br. 11	5 + + + lt. 12, 14	Median	5 Down	Brow ridges	5 ++	5 +++	Bridge br.
6 Gr. br. 6	Iris	(6) Abs.	Opening ht.	5 Abs.	6 +++	Root br.	5 Sm.
7 Hl. br. 5 | 7-10 / 13-16	6 Clear	5 Sm.	6 Sm.	6 Sm.	Nasion dep.	6 Sem.	6 +
8 Gray 16	7 Rayed	7 –	(7) –	7 +	7 Abs.	7 Sm.	(7) ++
9 Gy. blue	8 Zoned	8 ++	8 – +	8 ++	8 Sem.	8 +	8 + + +, sem
10 Blue 18	9 Spotted	Internal	Eyebrow thickness	(8) + + +	(8) Sm.	(8) ++	Profile
11 Unmatched	10 Diffuse	(9) Abs.	(9) Sm.	Forehead Ht.	10 +	10 +++	9 Concave
12 Other	11 Scalloped	10 Sm.	10 +	10 Sem.	11 ++	Septum	10 Straight
	12 Other	11 –	11 – +	11 +	12 +++	11 Str. conc.	(11) Convex
		12 ++	12 + + +	(12) ++		(12) Convex	Tip
							(12) Snub

64 Nasal tip Thickness	65 Nostrils vis. fr.	66 Lips Integumental	67 Lips Eversion	68 Alv. prog.	69 Bite	70 Caries	71 Malars Front. projection	72 Ear lobe
1 Sm.	1 Abs.	1 Sm.	1 Sm.	(1) Abs.	Under	1 Abs.	(1) Abs.	1 Sm.
2 –	(2) Sm.	2 –	(2) –	2 Sm.	(1) L. to U.	2 Sm. 1 4	2 +	(2) Sm.
(3) –	3 – +	3 ++	3 + +	3 +	2 Sm. over	3 Sm. 5 8	3 ++	3 –
4 – + +, sem.	Lateral	(4) + +	4 ++	4 ++	4 + + over	(4) – 9-16	Lat. projection	4 – +
Inclination	4 Abs.	5 Mem. upper	5 +++	5 +++	Loss	5 – + 17	4 Abs.	Antitragus
5 Up. +	(5) Present	6 Sem.	Lip seam	Chin prom.	5 None	Sites, teeth	5 Sm.	5 Abs.
(6) Up. sm.	Shape	7 Sm.	6 Abs.	6 Sm.	(6) Sm. 1 4	5 Abs.	6 +	(6) Sm.
7 Horiz.	6 Tent	8 +	7 Sm.	(7) –	7 Sm. 5 8	6 Sm.	(7) ++	(7) +
8 Down, sm.	7 Medium	(9) +	(8) +	8 + +	8 + 9-16	7 –	8 +++	8 + +
9 Down, +	(8) Round	10 + + +	8 – +	Chin type	9 ++ 17	8 + +	Gonial angles	Darw's pt.
Wings	Axes	Lower (if diff.)	Mid-fac. prog.	(9) Median	Wear	9 + +	9 Sm.	(9) Abs.
10 Compr.	9 Parallel	9 Sm.	(9) Abs.	10 Bilat.	10 Abs. Sm.	Crowding	(10) Sm.	10 Sem.
11 –	10 Obl. sm.	10 +	10 Sm.	Eruption	11 +	11 +	11 ++	11 –
(12) Flaring	11 Obl. +	11 – +	11 +	(11) Complete	(12) ++, +/-	12 ++	12 +++	12 – –
	12 Transv.	12 – – +	12 – +	12 Partial				

73 Ear lobe	74 Fullness Temporal	75 Occ. flattening	76 Race	77 Education	78 Marital State	79 Residence	80
1 Soldered	(1) Sm.	(1) Abs.	1 Pure Nordic	1	1	1	1
(2) Attached	2 +	2 +	2 Pred. Nordic	2	2	2	2
3 Free	3 + +	3 + +	3 Alpine	3	3	3	3
Size	Occ. protrusion	Cran. asymmetry	4 Nor. Alpine	4	4	4	4
4 Abs.	4 Abs.	(4) Abs.	5 Pure Med.	5	5	5	5
5 Sm.	(5) Sm.	5 Left	6 Nor. Med.	6	6 Religion	6	6
(6) +	6 +	6 Right	7 Keltic	7	7	7	7
7 + +	7 + +	Face asymmetry	8 East Baltic	8	8	8	8
Protrusion	Lamb. flattening	(7) Abs.	9 Dinaric	9	9	9	9
8 Sm.	(8) Abs.	8 Left	10 Armenoid	10	10	10	10
(9) +	9 Sem.	9 Right	11 Other	11	11	11	11
Slant	10 +	Body build	12 Not Observed	12	12	12	12
(10) +	11 + +	10 Linear					
11 + +	12 Disharmony	(11) Medium					
		12 Lateral					

UNITED STATES INDIAN SURVEY

Place Pembroke, N. C. Date June 11, 1936 Observer C. C. Seltzer Recorder M. Mayne

No. 104 Sex F Occupation Farmer Name Anna Lockleer Jacobs

Education Grade 6 Birthplace Robeson County Mother's Birthplace Robeson County

Residence Harris Ferry (Harper's Ferry) Father's Birthplace Robeson County

Brothers 4 Sisters 3 Sons 5 Daughters 5

Religion Rel 9 Promes 19, 20 Marital State, sing., spr., div., wid.

Age	40		
Weight	115	Head Circum.	52.9
Stature	150.0	Head Length	180
Tragion	138.1	Head Breadth	141
Acromion	119.9	Head Height	119
Radiale	91.5	Minimum Frontal	101
Stylion	70.6	Bizygomatic	138
Dactylion	53.0	Bigonial	105
Span	155.7	Total Face Ht.	105
Biacromial	30.9	Upper Face Ht.	58
Bi-iliac	24.5	Nose Ht.	43
Chest Breadth	23.2	Nose Br.	37
Chest Depth	16.2	Nose Salient	20
Leg		Jaw L.	93
Sitting Ht.	77.2	Bi-ac	86
Trunk	47.5	Inter-ac	36
		Rel. Sh. Ht.	
		Rel. Span 10, 11/2, 0	104
		Rel. Sh. Br. 12/2, 0	21

Sh-Hip. 12/13	79
Thorax 15/16	70
Rel. Sh. Ht. 14/2, 0	51
Ceph. 20, 22/23, 19	78
Length-Ht. 22/23, 19	66
Breadth-Ht. 22/23, 21	84
Fronto-Par. 22/23, 21	72
Ceph-Fac. 24/25, 21	98
Zygo-Ft. 22/24	73
Fronto-Gon. 22/23	104
Zygo-Gon. 22/24	76
Facial 22/24	76
Upper Facial 22/24	42
Nasal 22/23	86

Blood group type AB

48 Skin color Forehead	49 Skin color Breast or in. arm	50 Vascularity	51 Hair form	52 Head hair, quan.	53 Body hair	54 Hair color Head	55 Hair color Beard, mustache
1 Pale 12	1 Pale 12	(1) Abs.	(1) Str.	1 Sm.	(1) Abs.	1 Black 27	1 Black 27
2 Pink 5	2 Pink 5	2 Sm.	2 L. W.	(2) +	2 Sm.	2 Dk. br. 4-8	2 Dk. br. 4-8
3 Brunet 7, 8, 9	3 Brunet 7, 8, 9	3 +	3 D. W.	3 ++	3 +	3 Brown 7-9	3 Brown 7-9
4 Swarthy 10, 11	4 Swarthy 10, 11	4 + +	4 Cur.	Baldness	4 ++	4 Red br. 4, 10	4 Red br. 4, 10
(5) Rd. br. 12 14, 15	(5) Rd. br. 12 14, 15	Freckles	5 Frizz.	(1) Abs.	Graying, Head	5 Gld. br. 21 10	5 Gld. br. 21 10
6 Lt. br. 16, 17, 18	6 Lt. br. 16, 17, 18	1 Abs.	6 Wool.	2 Sm.	1 Abs.	6 Ash br. 22 26	6 Ash br. 22 26
7 Lt. y. br. 4, 5	7 Lt. y. br. 4, 5	2 Sm.	Texture	3 +	(2) Sm.	7 Golden 17 19	7 Golden 17 19
8 Y. br. 19 20, 6	8 Y. br. 19 20, 6	(3) + +	7 Coar.	4 + +	3 + +	8 Ash 20, 21	8 Ash 20, 21
9 M. d. br. 21 25	9 Med. br. 21 25	4 Massed	8 Med.	Beard, quan.	Graying, Beard	9 Red 1 3	9 Red 1 3
10 Choc. 26 29	10 Choc. 26 29	Moles	(9) Fine	(5) Sam.	1 Abs.	10 White	10 White
11 Dk. br. 30 35	11 Dk. br. 30 35	10 Abs.	Handedness	6 Sm.	2 Sm.	11	11
12 Black 36	12 Black 36	(11) Few	10 Right	7 +	3 +	12	12
		12 Many	11 Left	8 + +	4 +		
			12 Ambi.	9 + + +	5 + +		

56 Eye Color	57 Pigment Mixed eyes	58 Eyefolds External	59 Eye Obliquity	60 Eyebrows Concurrency	61 Forehead Slope	62 Nasal Root ht.	63 Nasal Bridge ht.
1 Black 1	1 + + + dk. 5	1 Abs.	1 Abs.	(1) Abs.	1 Forward	1 Sem.	1 Sm.
(2) Dk. br. 2, 3	2 + + dk. 6	(2) Sm.	2 Sm.	2 Sm.	2 Abs.	2 Sm.	(2) +
3 Dk.-lt. br.	3 Even 7, 8	3 +	(3) +	3 +	(3) Sm.	(3) +	3 ++
4 Lt. br. 4	4 + + lt. 9, 11	4 + +	4 + +	4 + +	4 +	4 + +	4 + + +, sem.
5 Gy. br. 11	5 + + + lt. 13, 14	5 Down	5 Down	Browridges	5 + +	5 + + +	Bridge ht.
6 Gr. br. 6	Iris	Opening ht.	Opening ht.	1 Abs.	6 + + +	Root br.	5 Sm.
7 Bl. br. 5 (7-10, 13-14)	6 Clear	(4) Sm.	(4) Sm.	(2) Sm.	Nasion dep.	6 Sem.	(6) +
8 Gray 16	(7) Beyed	7 +	7 +	3 +	7 Abs.	7 Sm.	7 + +
9 Gy. blue	8 Zoned	8 + +	8 + +	4 + +	(8) Sem.	(8) Sem.	8 + + +, sem.
10 Blue 18	9 Spotted	Internal	9 + + +	5 + + +	(9) Sm.	9 + +	Profile
11 Unmerched	10 Diffuse	(9) Abs.	Eyebrow thickness	Forehead ht.	10 +	10 + + +	9 Concave
12 Other	11 Scalloped	10 Sm.	1 Sm.	(10) Sm.	11 + +	Bridge	10 Straight
	12 Other	11 +	(10) +	11 +	12 + + +	11 Str., conc.	(11) Convex
		12 + +	11 + +	12 + + +		(12) Convex	Tip
			12 + + +				(12) Rnob

64 Nasal tip Thickness	65 Nostrils vis. fr.	66 Lips Integumental	67 Lips Eversion	68 Alv. proc.	69 Bite	70 Caries	71 Malars Front. projection	72 Ear Helix
1 Sm.	1 Abs.	1 Sm.	(1) Sm.	(1) Abs.	1 Under	1 Abs.	(1) Sem. 1-4	1 Sem.
2 +	(2) Sup. +	(2) +	2 +	2 Sm.	2 Edge-E	2 Sem. 5-8	2 +	2 Sm.
(3) + +	3 + +	3 + +	3 + +	3 + +	(3) Sm. over	3 + 9-16	(3) + + & + +	3 +
4 + + +, sem.	Lateral	4 + + +	4 + + +	4 + + +	4 + + over	4 + + 17-	Lat. projection	(4) + +
Inclination	4 Abs.	Memb. upper	Lip seam	Chin prom.	Loss	Shortening	4 Abs.	Antihelix
5 Up. +	(5) Promnt	4 Sem.	1 Abs.	1 Sm.	5 None	(1) Abs.	5 Sm.	5 Abs.
(6) Up. rm.	Shape	5 Sm.	(2) Sm.	(2) +	(5) Sem. 1-4	2 Sm.	(2) + + & + + +	6 Sm.
7 Horiz.	5 Thin	(6) +	3 +	3 + +	7 Sm. 5-8	3 +	3 + + +	(7) +
8 Down, sm.	(7) Medium	7 + +	4 + +	Chin type	8 + 9-16	(4) Sm.	Gonial angles	(8) + +
9 Down, +	8 Round	8 + + +	Mid-lac. proc.	(5) Median	9 + + 17-	Crowding	4 Sm.	Dar.'s pt.
Wings	Alae	Lower (if dif.)	(4) Abs.	6 Bilat.	Wear	(10) Abs. 6-6	(5) +	(9) Abs.
10 Compr.	9 Parallel	9 Sm.	5 Sm.	Eruption	(10) Abs. 6-6	11 +	6 + + +	10 Sm.
11 +	10 Obl. sm.	10 +	6 +	(1) Complete	11 +	12 + +	Gonial angles	11 +
(12) Flaring	(11) Obl. +	11 + +	7 +	2 Partial	12 ++, + + +		7 Sm.	12 + +
	12 Transv.	12 + + +	8 + +				(8) +	
							9 + + +	

73 Ear lobe	74 Fullness Temporal	75 Occ. flattening	76 Race	77 Education	78 Marital State	79 Residence	80
1 Soldered	(1) Sm.	(1) Abs.	1 Pure Nordic	1	1	1	1
(2) Attached	2 +	2 +	2 Prod. Nordic	2	2	2	2
3 Free	3 + +	3 + +	3 Alpine	3	3	3	3
Size	Occ. protrusion	Crip. asymmetry	4 Nor. Alpine	4	4	4	4
4 Abs.	4 Abs.	(4) Abs.	5 Pure Med.	5	5	5	5
5 Sm.	(5) Sm.	5 Left	6 Nor. Med.	6	6 Religion	6	6
(6) +	6 +	6 Right	7 Keltic	7	7	7	7
7 + +	7 + +	Fos. asymmetry	8 East Baltic	8	8	8	8
Protrusion	Length flattening	(7) Abs.	9 Dinaric	9	9	9	9
(8) Sm.	(8) Abs.	8 Left	10 Armenoid	10	10	10	10
9 +	9 Sm.	9 Right	11 Other	11	11	11	11
10 + +	10 +	Body build	12 Not Observed	12	12	12	12
Sight	11 + +	(10) Linear					
(11) +	12 Disharmony	11 Medium					
12 + +		12 Lateral					

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Case No. 26 Racial Diagnosis

Name: John I. Brooks

Sex: Male

Age: 50

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The possession by this individual of green-brown eyes is one of the most important features which marks him off as having less than 1/2 Indian blood.

Further evidences of non-Indian blood is visible in the low wave character of the head hair, in the pronounced grayness of the head hair, in the marked thickness of the eyebrows, in the pronounced thickness of the integumental and membranous portions of the lips, in the prominance of the chin, and in the deep set of the eyes relative to the total facial plane.

Metrically, the very high relative span (relation of arm span to total body stature in terms of per cent) of 108 is also indicative of non-Indian blood, probably of Negroidal origin. The cephalic index of 75 is comparatively low.

Indianoid features are not entirely lacking. They are evident in the absence of hirsuteness of the face and body, in the color of the unexposed skin (Von Luschan no. 13), in the absence of concurrent eyebrows, in the pronounced lateral projection of the malars, in the flare of the gonial angles, and in the high cephalic index - facial index proportion (cephalo facial index) of 103.

The general composite picture viewing all the features as a whole, is an individual whose amount of White blood is in excess of the Indian, and also possessing a decided strain of Negro.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 27 Racial Diagnosis

Name: Jesse Oxindine

Sex: Male

Age: 38

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Unexposed skin color is moderately light such as is found in many White groups (Von Luschan no. 10). The exposed skin color taken at the forehead is not very much darker (Von Luschan no. 15). Accordingly, there is no large tanning differential. Vascularity is present although not very marked and freckles are quite abundant in face and arms. Evidence of White admixture is therefore to be found in skin color, vascularity, and in the freckling.

Very strong evidence of non-Indian blood is traceable to the form of the head hair. The hair on the head is curly and black, with a slight degree of grayness to be found particularly in the temporal region. Facial and body hair are well-developed as among Whites.

The eyebrows are thick and slightly concurrent, a non-Indian feature. There is an absence of strong development of the frontal malars. The ears are small and Negroidal in type. The cephalic index (relation of breadth of the head to the length in terms of per cent) is quite low with a value of 75.

Evidence of Indian features are to be found in the color of the eyes being dark brown to black, the prominence of the lateral malars, the flare of the gonial angles of the lower jaw, the general character of the lips, the retrogressive chin, and the high cephalo-facial index.

The general composite picture, however, viewing all the features as a whole is an individual with an excess of White blood, a strong strain of Indian, and a small element of Negro.

Concluding Diagnosis: LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 28 Racial Diagnosis

Name: Duncan L. Locklear

Sex: Male

Age: 60

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The presence of gray-blue-brown eyes with the brown distributed only in spots over the iris, is one of the outstanding features which marks this individual off as having less than 1/2 Indian blood. Other features which are indicative of non-Indian strains are, the slight degree of skin vascularity, the low wave character of the head hair, the frizzly feeling of the hair on manual manipulation, the pronounced development of body hair, the presence of graying of the hair, the pronounced nasion depression, and the low cephalic index (relation of breadth of head to the length expressed in terms of per cent) of 74.

Indianoid features are visible in the unexposed skin color, light brown category (Von Luschan no. 15), in the slight development of the face hair particularly in the upper and lower cheek regions, in the thinness of the eyebrows, in the absence of concurrent eyebrows, in the marked convexity of the nasal profile, and in the pronounced lateral projection of the malars.

The general composite picture viewing all the features as a whole, is an individual who is fundamentally White with a strong representation of Indian blood.

Concluding Diagnosis: Unquestionaly LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 29 Racial Diagnosis

Name: Romeo Jacobs

Sex: Male

Age: 27

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Unexposed skin color in this individual is moderately dark (Von Luschan no. 15) and exposed skin color taken at the forehead is really dark (Von Luschan no. 24). Vascularity and freckling, non-Indian features are both absent. Hair form, however, is of the frizzly variety and may be traced directly to Negro admixture.

Face and body hair is quite sparse as among Indians and Negros. Head hair color is black, and the eyes are given the same color classification. The thickness of the eyebrows is pronounced and a slight degree of concurrency is present as among Whites.

The lips are decidedly Negroidal in form, being pronouncedly thick as to its integumental as well as its membranous portions. A lip seam is present in a marked form. Alveolar prognathism is moderate in its development, but the chin is quite prominent.

The general character and size of the ears are Negroidal while the incisor teeth display the Indianoid shovel-shaped form.

The cephalic index (relation of breadth of head to the length in terms of per cent) is very low falling into the dolichocephalic class with a value of 72 and is in a great measure responsible for the high cephalo-facial index of 100. The absolute dimension of the bizygomatic diameter, 132 millimeters, is very narrow for Indian males and is suggestive of considerable non-Indian blood. The minimum frontal diameter is also very narrow for predominant Indian types.

The general composite picture viewing all the features as a whole, is an individual of dominant Negro blood, plus a strong strain of Indian.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 30 Racial Diagnosis

Name: Colen Locklear

Sex: Male

Age: 41

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The possession by this individual of green-brown eyes with the green as highly represented as the brown, is one of the most outstanding features which marks him off as having less than 1/2 Indian blood.

Skin color is also indicative of a non-Indian strain by the light unexposed color taken at the inner arm (Von Luschan no. 9). Marked vascularity of the skin and the presence of freckles are also strong indications of White admixture.

Head hair form is of the low wave variety with definite frizzling in the front, a non-Indian hair type. Face hair is well-developed as in the Whites but body hair is quite sparse. The very marked grayness of the head hair must also be considered evidence of non-Indian blood.

A few of the other features which are highly suggestive of non-Indian influence racially are as follows: the thickness of the eyebrows, the depth of the nasion depression, the marked prominence of the chin, the absense of frontal projection of the malars, the cephalic index of 76, the very high facial index of 91, and the very high upper facial index of 66. Cephalo-facial index of 96 cannot be considered evidence of purity of Indian strain owing to the lowness of the cephalic index.

The general composite picture viewing all the features as a whole is an individual of predominantly White blood.

Concluding Diagnosis: Unquestionably less than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 31 Racial Diagnosis

Name: Sherman Locklear

Sex: Male

Age: 30

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

This individual possesses a moderately light unexposed skin color (Von Luschan no. 11) as well as a moderately light exposed skin color (Von Luschan no. 14). Some non-Indian strain is indicated by the presence of the low wave variety of hair form, although the color is strictly black.

Face hair shows a heavy development on the chin, upper and lower cheek regions; the body hair is only moderately well-distributed.

Eye color is dark brown as among Indians, but the pronounced thickness of the eyebrows with its associated concurrency is a non-Indian feature. The nasion depression is well-marked and the nasal profile is somewhat White in general form. The lips are thick both as to integumental and membranous portions. A lip seam is present of moderate size. The malars lack the strong Indianoid development frontally and laterally. And finally, the cephalo-facial index is very low (relation of width of face to the breadth of the head in terms of per cent) with a figure of 91. This may be considered as strong evidence of considerable non-Indian blood particularly in view of the size of the cephalic index.

The general composite picture viewing all the features as a whole, is an individual which should be classified as a border line case, with about equal parts of White and Indian and only a mere trace of Negro.

Concluding Diagnosis: Doubtful Diagnosis. Probability towards LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 40 Racial Diagnosis

Name: William Locklear

Sex: Male

Age: 45

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The possession by this individual of the deep wave variety of hair form with distinct curliness of the forelock is an outstanding non-Indian feature suggestive of less than 1/2 Indian blood.

The unexposed skin color is moderately dark (Von Luschan no. 15) but whether this is due to Indian or Negro influence is very difficult to say. Body hair is well-developed and distributed in moderate quantity over the extremities and torso, and as such is indicative of White admixture.

Negroidal features are strongly accentuated in this subject. In this category should be included, the very pronounced and heavy brow ridges associated with a broad nasal root and pronouncedly broad nasal bridge, the thickness of the nasal tip, its upward inclination showing a moderate frontal visibility, the pronouncedly thick membranous and integumental portions of the lips, the marked eversion of the lips, and the presence of a well-developed lip seam.

The general composite picture viewing all the features taken as a whole, is an individual who is dominantly Negroidal, with a strain of Indian and White.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 53 Racial Diagnosis

Name: Oscar H. Hammonds

Sex: Male

Age: 46

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

This individual possesses a large number of features that indicate conclusively that his racial complex is less than 1/2 Indian blood. The most important racial element in his make-up is unquestionably White.

The following are some of the more important features, principally non-metrical, which suggest White blood as a dominant feature; the light unexposed skin color taken at the inner arm (Von Luschan no. 9), the marked degree of vascularity of the skin, the presence of freckles although only few in number, the deep wave character of the head hair with distinct curliness in front, the well-developed face hair, the slight degree of frontal baldness, the moderate to pronounced quantity of body hair, the grayness of the head and face hair, the green-brown eyes which in itself is very strong evidence of less than 1/2 Indian blood, the concurrency of the eyebrows, the depth of the nasion region, the prominence of the chin, the lack of development of the frontal and lateral malare, and the comparatively low cephalo-facial index of 92 especially when considered in the light of the cephalic index of 77.

The general composite picture viewing all the features as a whole, is an individual of predominantly White stock with a mere trace of Negro.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 54 Racial Diagnosis

Name: Hubbard Chavis

Sex: Male

Age: 58

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The possession by this individual of head hair that falls in the curly classification marks this individual off as having less than 1/2 Indian blood.

The well-developed facial and body hair with pronounced grayness of the head hair is also suggestive of less than 1/2 Indian blood. Additional features of non-Indian type are, the pronounced depression of the nasion region, the breadth of the nasal root and nasal bridge, the thickness of the integumental and membranous portions of the lips, the prominence of the chin, the general Negroidal characters of the ears, the low cephalic index of 74, and the very high relative span of 106 (relation of arm span to total body stature in terms of per cent).

Indianoid features are evidenced in the height and profile of the nasal bridge, in the breadth of the bizygomatic arches, and in the presence of shovel-shaped incisor teeth. Indianoid features, however, are decidedly in the minority.

The general composite picture viewing all the features as a whole, is an individual of more Negro than Indian, with a strong strain of White.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 55 Racial Diagnosis

Name: Clarence Chavis

Sex: Male

Age: 36

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Unexposed skin color in this individual falls in the swarthy classification (Von Luschan no. 9). Exposed skin color taken at the forehead is very dark (Von Luschan no. 25). There is no vascularity of the skin, and freckles are classified as absent. Hair form, however, is very definitely non-Indian in its distinct curliness, and accordingly may be considered as very strong evidence of less than 1/2 Indian blood.

Face hair is well-developed and distributed in typical White fashion. Similarly the quantity and distribution of the body hair is moderate to pronouncedly heavy. Eye color is mixed, there being about equal amounts of dark and light brown spots over the iris. Evidence of eye color suggests non-Indian blood. The eyebrows are pronouncedly thick and show a slight concurrency. This again is a non-Indian feature probably White.

The character of the nasal tip, even though it is not very heavy as among Negros, is nevertheless very reminiscent of the usual Negroidal form. There is an upward inclination of the septum, the wings are flaring, and the nostrils display a marked frontal visibility. There is a pronounced thickness of the integumental and membranous portions of the lips with associated lip seam. These are Negroidal features. There is also a lack of Indianoid development of the frontal and lateral malars. The ears are small and Negroidal with regard to helix roll and degree of protrusion from the side of the head.

Cephalo-facial index is low with a value of 92, especially when considered in the light of the cephalic index of 78. The nasal index is 74.

The general composite picture viewing all the features as a whole is an individual with more White blood than either Indian or Negro, but the Negro element still being more dominant than that of the Indian.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

Case No. 56 Racial Diagnosis

Name: Allie Byrd Hammonds

Sex: Female

Age: 17

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Negroidal features present in this individual are as follows: Curliness of the head hair, the absence of vascularity and freckles, the black head hair and virtually black eye color, the pronounced depth of the nasion depression, the concavity of the nasal bridge, the pronounced breadth of the nasal root, the upward inclination of the nasal tip associated with flaring nostrils and a very marked frontal visibility of the narae, the pronounced width of the nasal bridge, the pronounced thickness of the integumental and membranous portions of the lips and the presence of a lip seam.

A few of the features which may be attributed to Indian blood is the unexposed skin color (Von Luschan no. 15) (may also be Negroidal), the absence of vascularity and freckles (also may be Negroidal), the darkness of the eye color, the presence of a strong internal epicanthic fold, the absence of eyebrow concurrency, the flare of the gonial angles, the width of the bizygomatic arches, etc.

White features are also present in the prominence of the chin, the lack of eversion of the lips, and certain metrical features especially the cephalo-facial index and the cephalic index.

The general composite picture viewing all the features as a whole, is an individual with approximately equal parts of Negro, Indian and White. If there is any inequality in this representation the probability is that there is a greater proportion of Negroidal blood.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 57 Racial Diagnosis

Name: Levi Thomas

Sex: Male

Age: 44

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

This individual presents a very large number of features which show clear indications of less than 1/2 Indian blood.

By far the greatest majority of these features are of White origin. Skin color is quite light on the unexposed inner arm (Von Luschan no. 9), and vascularity is present to a moderate degree. Freckles are rather sparse, and the form of the head hair is straight and very fine. This type of hair is very seldom met with in Indians of comparatively pure strains. There is a small degree of frontal baldness and the hair on the head and face is moderately well-developed.

Head hair color is dark brown with a slight degree of graying particularly along the temples. The eyebrows are moderately thick and slightly concurrent. There is a lack of Indianoid development of the frontal malars and a compression of the gonial angles of the lower jaw. The ears are definitely of White origin, very large and very prominent. There are no shovel-shaped incisors. The cephalic index is 72 and the cephalo-facial index is comparatively low with a figure of 92.

The general composite picture viewing all the features as a whole is an individual of predominantly White origin.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 58 Racial Diagnosis

Name: Eli Chavis

Sex: Male

Age: 53

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Evidences of non-Indian blood in this individual includes the following characteristics: fairly light unexposed skin color (Von Luschan no. 9), the presence of vascularity of the skin even though it is slight, the low wave variety of hair form, the pronounced baldness of the head particularly inasmuch as it is of the frontal type, the well-developed body hair, the very deep set of the eyes, the growth of hair from the ears, the moderate to pronounced nasion depression, the lack of development of the frontal and lateral malars, the well-marked prominence of the chin, the low cephalic index of 75 (relation of breadth of head to the length of head in terms of per cent), the comparatively low cephalo-facial index of 96 when considered in the light of the narrow head breadth, and the rather high nasal index of 80.

The general composite picture viewing all the features as a whole, is an individual of predominant White blood.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 59 Racial Diagnosis

Name: Jasper Locklear

Sex: Male

Age: 49

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The unexposed skin color in this individual is quite light falling in the brunet class (Von Luschan no. 9). The exposed skin color is somewhat darker (Von Luschan no. 15). On the whole, this skin color may be said to fall within the range for White stocks. Vacularity is present in a slight degree, a non-Indian feature.

The hair form on the head is straight with low waves in the front. Face hair is well-developed on the upper and lower cheek regions as among Whites.

The color of the eyes is medium brown, a somewhat light color for predominantly Indianoid groups. Strong non-Indian features are present, however, in the pronounced thickness of the eyebrows and in the pronounced concurrency of the eyebrows. The chin is fairly prominent and the development of the malars do not approach the typical Indianoid condition.

In the metric characteristics this individual displays a greater tendency towards White than to Indianoid proportions. Particular attention should be directed to the low cephalic index of 75, and to the cephalo-facial index of 96. The bizygomatic diameter is rather narrow for a predominantly Indian individual. Total facial index is very high with a value of 90 (relation of length of face to the width of the face in terms of per cent).

The general composite picture viewing all the features as a whole, is an individual who is essentially White, with small traces of Indian elements.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer

Case No. 60 Racial Diagnosis

Name: Iler Mae Chavis

Sex: Female

Age: 30

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The possession by this individual of green-brown eyes is one of the most outstanding features which marks this person off as having less than 1/2 Indian blood.

Additional characteristics of non-Indian type are, the relatively light unexposed skin color (Von Luschan no. 11), the presence of a slight degree of vascularity of the skin, the presence of freckles although only few in quantity, the frizzling of the hair in front and at the ends even though the hair on the head is classified as straight, the pronounced thickness of the eyebrows, the pronounced nasal root breadth and pronounced nasal bridge breadth, the nasal profile which is straight as regards bony portion and snub as respects the cartilaginous division, the general form of the ear being suggestive of Negroidal influence, the lowness of the cephalo-facial index (relation of width of face to the breadth of the head in terms of per cent) of 89, and the size of the cephalic index (relation of the breadth of the head to the length of the head in terms of per cent) of 78 and its attendant influence on the cephalo-facial index.

The general composite picture viewing all the features as a whole, is an individual with an excess of White blood and the remaining strains about equally balanced between Indian and Negro.

Concluding Diagnosis: Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 61 Racial Diagnosis

Name: William A. Chavis

Sex: Male

Age: 48

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

Skin color taken at the unexposed inner arm region is light (Von Luschan no. 9) and the exposed skin color is somewhat darker but not excessively dark (Von Luschan no. 15). Evidence of skin color, then, is suggestive of White admixture. There is a marked vascularity of the skin, a definite indication of considerable White blood.

The form of the hair on the head is classified as curly, and medium to coarse in texture. This is clearly an un-Indian feature and marks the presence of a significant quantity of non-Indian admixture. Face hair and body hair is moderate to sparsely distributed. However, the head hair shows a slight degree of graying.

Clear non-Indian influence is indicated in the pronounced depth of the nasion depression and in the depth and character of the set of the eyes with respect to the frontal, malar, and nasal planes. The nasal root and nasal bridge are pronounced in breadth, as is also the nasal tip. The wings of the nose are flaring and the frontal visibility of the nostrils are marked. There is an absence of marked flare of the gonial angles of the lower jaw and a flatness in the general temporal region.

The cephalic index (relation of breadth of the head to the length in terms of per cent) is 77 and mesocephalic, while the cephalo-facial index (relation of width of face to the breadth of the head in terms of per cent) is 94. Both these indices are indicative of non-Indian admixture. The nasal index (relation of breadth of the nose to the length) is 88 and leans definitely towards the typically high Negroidal figures.

The general composite picture viewing all the features as a whole is an individual with an excess of White, and definite evidences of Negro and Indian strains.

Concluding Diagnosis: - Unquestionably LESS than 1/2 Indian blood.

June 30, 1936

Carl C. Seltzer
Associate Anthropologist

Case No. 85 Racial Diagnosis

Name: Carson Jones

Sex: Male

Age: 27

District: Robeson County, North Carolina

Claim: 1/2 or more Indian blood.

The following features are to be considered as evidence of non-Indian blood: the presence of freckling even though there are but a few on the face and arms, the curliness of the head hair, the well-developed body hair, the very pronounced thickness of the eyebrows, the pronounced concurrency of the eyebrows, the flaring of the nasal wings, the pronounced thickness of the membranous portion of the lips, the presence of a lip seam, and the prominence of the chin.

Indianoid tendencies are visible in the skin color, in the absence of vascularity of the skin, in the sparseness of the facial hair, in the dark hair and eyes, in the slight depression of the nasion region, in the development of the malars, in the high cephalic index, and in the relatively high cephalo-facial index of 94 when considered in the light of the virtual brachycephalic skull vault.

The general composite picture viewing all the features as a whole, is an individual with an excess of White blood, and with strong elements of Indian and Negro.

Concluding Diagnosis: LESS than 1/2 Indian blood.

June 30, 1936

Carl C . Seltzer
Associate Anthropologist

63D CONGRESS, 3d Session | SENATE | DOCUMENT No. 677

INDIANS OF NORTH CAROLINA

LETTER FROM
THE SECRETARY OF THE INTERIOR

TRANSMITTING,

IN RESPONSE TO A SENATE RESOLUTION OF JUNE 30, 1914, A REPORT ON THE CONDITION AND TRIBAL RIGHTS OF THE INDIANS OF ROBESON AND ADJOINING COUNTIES OF NORTH CAROLINA

JANUARY 5, 1915.—Referred to the Committee on Indian Affairs and ordered to be printed

JANUARY 18, 1915.—Accompanying illustrations ordered printed

WASHINGTON
1915

63D CONGRESS : : 3D SESSION

DECEMBER 7, 1914-MARCH 4, 1915

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LETTER OF TRANSMITTAL.

DEPARTMENT OF THE INTERIOR,
Washington, January 4, 1915.

The PRESIDENT OF THE SENATE.

SIR: Senate resolution 410, dated June 30, 1914, reads as follows:

> That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

In conformity therewith, I have caused an investigation to be made by Special Indian Agent O. M. McPherson, and am transmitting herewith his report of September 19, 1914. This report is quite full, showing a careful investigation on the ground as well as extensive historical research.

It is believed that this report covers the matters mentioned in the resolution, and it is hoped that the information afforded thereby will "enable Congress to determine whether the Government will be warranted in making suitable provision for their support and education."

Respectfully,

FRANKLIN K. LANE.

REPORT ON CONDITION AND TRIBAL RIGHTS OF THE INDIANS OF ROBESON AND ADJOINING COUNTIES OF NORTH CAROLINA.

By Special Indian Agent O. M. McPherson.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, September 19, 1914.

Hon. CATO SELLS,
Commissioner of Indian Affairs.

MY DEAR MR. SELLS: On June 30, 1914, the Senate passed a resolution (S. Res. 410) authorizing and directing the Secretary of the Interior to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties in North Carolina. Said resolution reads as follows:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

(See Exhibit A.)

On July 23, 1914, you instructed me to proceed to Robeson County, N. C., as early as convenient, and make the investigation called for by the resolution. In obedience to your instructions I immediately proceeded to Lumberton, in said State, and the results of my investigation will appear under appropriate headings in this report. (See Exhibit A1.)

HISTORICAL.

The Croatan Indians (designated "Cherokee Indians of Robeson County" by an act of the General Assembly of North Carolina ratified Mar. 11, 1913) comprise a body of mixed-blood people residing chiefly in Robeson County, N. C. A few of the same class of people reside in Bladen, Columbus, Cumberland, Scotland, and Hoke Counties, N. C., and in Sumter, Marlboro, and Dillon Counties, S. C. It is also said that a similar people, called "Redbones," reside in these counties in South Carolina, but I think it probable that they belong to the same class of people as those residing in Robeson County, N. C. In the Eleventh Census, of 1890, under the title "North Caro-

lina Indians," they are described as "generally white, showing the Indian mostly in actions and habits." It is stated that—

> They were enumerated by the regular census enumerator in part as whites; that they are clannish and hold with considerable pride to the tradition that they are the descendants of the Croatans of the Raleigh period of North Carolina and Virginia.

(See Exhibit A2.)

They are described in the Hand Book of American Indians, Bureau of American Ethnology, Bulletin No. 30, as a people evidently of mixed Indian and white blood, found in various sections in the eastern part of North Carolina, but chiefly in Robeson County. It is also stated that for many years they were classed with the free negroes, but steadfastly refused to accept such classification or to attend the negro schools or churches, claiming to be the descendants of the early native tribes and white settlers who had intermarried with them.

A bulletin of the Thirteenth Census (census of 1910), "Indians of North Carolina," shows their numbers to be as follows:

Bladen County	36
Columbus County	12
Cumberland County	48
Scotland County	74
Sampson County	213
Robeson County	5,895
Total in North Carolina	6,278

In a statement furnished the Committee on Indian Affairs, House of Representatives, February 14, 1913, in the hearing on Senate bill 3258, it is said:

> According to the census of 1910, the number of Indians in Robeson County was 5,895. There are also about 1,500 to 2,000 in adjoining counties in North and South Carolina, making a settlement in all of about 8,000 persons.

Apparently, the Indian Office had no knowledge of the existence of the Croatan Indians until the latter part of 1888. About that time 54 of these Indians, describing themselves as "a part of the Croatan Indians living in Robeson County," and claiming to be "a remnant of White's lost colony," petitioned Congress "for such aid as you may see fit to extend to us." This petition was referred to the Indian Office, and on January 7, 1889, a copy was sent to the Director of the Bureau of Ethnology, with the statement that there was no record in the Indian Office showing any such Indians or any such colony as that referred to, and requesting to be furnished with such information as said bureau had concerning these people. On January 11, 1889, the Director of the Ethnological Bureau replied:

> I beg leave to say that Croatan was in 1585 and thereabouts the name of an island and Indian village just north of Cape Hatteras, N. C. White's colony of 120 men and women was landed on Roanoke Island just to the north in 1587, and in 1590 when White returned to revisit the colony he found no trace of it on Roanoke Island, save the name "Croatan" carved upon a tree, which, according to a previous understanding, was interpreted to mean that the colonists had left Roanoke Island for Croatan. No actual trace of the missing colonists was ever found, but more than 100 years afterwards Lawson obtained traditional information from the Hatteras Indians which led him to believe that the colonists had been incorporated with the Indians. It It was thought that traces of white blood could be discovered among the Indians, some among them having gray eyes. It is probable that the greater number of the colonists were killed; but it was quite in keeping with Indian usages that a greater or less number, especially women and children, should have been made captive and subsequently incorporated into the tribe.

(See Exhibit B2.)

On January 29, 1889, the Indian Office communicated with Mr. Hamilton McMillan, of Fayetteville, N. C., concerning these Indians, with the result that on July 17, 1890, Mr. McMillan sent the office a copy of his booklet relating to these people, entitled "Sir Walter Raleigh's Lost Colony." Further mention will be made of Mr. McMillan's views concerning the Robeson County Indians. On August 11, 1890, in reply to a letter of July 2 of that year, the Commissioner of Indian Affairs wrote Mr. W. L. Moore, of Osborne, N. C.:

> It appears from his statement that this band is recognized by the State of North Carolina, has been admitted to citizenship, and the State has undertaken the work of their education.
>
> While I regret exceedingly that the provisions made by the State of North Carolina seem to be entirely inadequate, I find it quite impracticable to render any assistance at this time. The Government is responsible for the education of something like 34,000 Indian children and has provisions for less than half this number. So long as the immediate wards of the Government are so insufficiently provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes.

(See Exhibit B7. See Exhibit C for the McMillan booklet.)

Much doubt and uncertainty has existed as to the source of the Indian blood of this people and as to whether their ancestors comprised a part of White's lost colony (sometimes spoken of as "Raleigh's lost colony"). Some of these Indians hold to a tradition that they are of Cherokee origin, and affect to believe that the action of the General Assembly of North Carolina in designating them as "Cherokee Indians of Robeson County" in some way confirms this tradition. I find that the question of the source of their Indian blood, and whether their ancestors were a part of Gov. White's lost colony are so inextricably bound together that it will be necessary to treat of both subjects under the same heading.

WHITE'S LOST COLONY.

The first explorer of the region originally known as Virginia, comprising the territory afterwards known as Virginia, North Carolina, and South Carolina (omitting for the present some explorations along the coast made by Lane), was John Lederer, a learned German, who resided in the Virginia colony during the administration of Sir William Berkeley. It appears that he made "three several marches" through the country referred to between March, 1669, and September, 1670. Copious extracts from Lederer's notes of travel are printed in Volume II of Hawks's History of North Carolina, together with lengthy explanatory notes. A map of Lederer's explorations accompanies Talbot's translation of the notes (which were written in Latin), by the aid of which Dr. Hawks endeavored to trace the explorer's wanderings in North Carolina. A facsimile of the map is printed in the history; also a facsimile of the map of Carolina drawn by Ogilby in 1671. Copies of these maps and the text relating to Lederer's notes as found in Dr. Hawks's History, Vol. II, accompany this report. (See Exhibit D.)

Dr. Hawks found himself unable to reconcile some of Lederer's narrative with later well-known geographical and historical facts. This was probably due to inaccuracies in courses and distances traveled by the explorer, to errors in names and locations, and to still

greater inaccuracies in the orginal map. It is not my purpose to attempt to reconcile or explain these inaccuracies, but merely to call attention to some important facts which seem to have some relation to the early history of the so-called Croatan Indians.

There is a long-standing tradition among these Indians that their ancestors were white people, a part of Gov. White's lost colony, who amalgamated with the coast Indians and afterwards removed to the interior, where they now reside; and it is my purpose to inquire into the historical data which support or contradict this tradition. It is a matter of common knowledge that the Indians are a people of "traditions," being entirely destitute of written records. Indeed, I would regard the tradition of these people that their ancestors comprised a part of the "lost colony" as of little value were it not supported by what is regarded as authentic historical data. Mr. James Mooney, in the Hand Book of Indians, Bureau of American Ethnology, Bulletin No. 30, expresses doubt that these people originated from White's lost colony. He says:

The theory of descent from the lost colony may be regarded as baseless, but the name itself serves as a convenient label for a people who combine in themselves the blood of the wasted native tribes, the early colonists or forest rovers, the runaway slaves or other negroes, and probably also of stray seamen of the Latin races from coasting vessels in the West Indian or Brazilian trade.

Mr. Samuel A'Court Ashe, a most creditable historian, also seems to doubt the origin of the Croatan Indians from White's lost colony. He says in part:

Because names borne by some of the colonists have been found among a mixed race in Robeson County, now called Croatans, an inference has been drawn that there was some connection between them. It is highly improbable that English names would have been preserved among a tribe of savages beyond the second generation, there being no communication except with other savages. If English names had existed among the Hatteras Indians in Lawson's time, he probably would have mentioned it as additional evidence corroborating his suggestion deduced from some of them having gray eyes and from their valuing themselves on their affinity to the English. It is also to be observed that nowhere among the Indians were found houses or tilled lands or other evidences of improvement on the customs and manners of the aborigines. When this mixed race was first observed by the early settlers of the upper Cape Fear, about 1735, it is said that they spoke English, cultivated land, lived in substantial houses, and otherwise practiced the arts of civilized life, being in these respects different from any Indian tribe.

(See Exhibit CCC.)

Except for the doubt expressed by these writers, the universal opinion of those who have written concerning the early history of the Carolinas, as far as I have been able to ascertain, supports the tradition of the Indians.

Gov. White's notes of his voyage to Virginia (North Carolina) in search of the colony he planted on Roanoke Island in 1587 are printed at length in Hawks's History of North Carolina, extracts from which are reprinted in McMillan's pamphlet heretofore referred to. According to a secret understanding which White had with the colonists before he returned to England, if they departed from Roanoke Island before his return (and there had been talk that they might go 50 miles into the interior) they were to carve upon the trees or posts of the doors "the name of the place where they should be seated." When White and his men on August 16, 1590, landed on the north point of the island, where they had left the colony three years previously, and proceeded up the sandy bank, they saw [illegible] fair roman letters

"C. R. O.," which they "presently knew to signify the place where they should find the planters seated." It was also understood "that if they should happen to be distressed in any of those places" they should carve over the letters or name a cross; but White and his men found no such sign of distress. The narrative continues:

And having well considered of this we passed through the place where they were left in sundry houses, but we found the houses taken down and the place very strongly inclosed with a high palisade of great trees with curtains and flankers, very fortlike, and one of the chief trees or posts at the right side of the entrance had the bark taken off and 5 feet from the ground, in fair capital letters, was graven "CROATOAN," *without any cross or sign of distress.*

It should be noted that the word carved upon the tree was "Croatoan" and not "Croatan" as stated by some of the historians. White's narrative continues:

This done, we entered into the palisade, where we found many bars of iron, two pigs of lead, four iron fowlers, iron locker, shot, and such like heavy things thrown here and there, almost overgrown with grass and weeds. But although it grieved me much to see such spoil of my goods, yet on the other side I greatly joyed that I had safely found a certain token of their being at *Croatoan*, which is the place where Manteo was born, and the savages of the island our friends.

Manteo, it will be remembered, was one of two friendly Indians who had been carried to England by Sir Richard Grenville and returned to Virginia with Gov. White on the occasion of his first voyage, in 1587. On August 13 of that year, Manteo, by direction of Sir Walter Raleigh, was baptized, and in reward for his services to the English he was designated "Lord of Roanoke and Dasamonguepeuk."

Returning to Lederer's travels, it will be noted that on the map prepared in 1666—one of the earliest maps of the Carolina coast—*Croatoan* is represented as an island south of Cape Hatteras. This seems to accord with White's narrative, quoted above. On the map prepared by Ogilby, 1671, on the order of the lords proprietors, and on the map of "Carolina, described 1666" (facsimile by Schroeter), Croatan is marked as a part of the main land, directly west of Roanoke Island. Gov. White's narrative indicates that the colonists (or "planters," as he called them) originally removed to Croatoan, an island south of Cape Hatteras, and not to Croatan, a part of the mainland. Mr. McMillan in his pamphlet (p. 11) says:

It is evident from the story of Gov. White, as given on a preceding page, that the colonists went southward along the coast to Croatoan Island, now a part of Carteret County, in North Carolina, and distant about 100 miles in a direct line from Albemarle Sound.

The Tuscarora Indians was a powerful and warlike tribe, occupying the central eastern part of North Carolina. They had frequent encounters with the Cherokees and Catawbas on the west and southwest, and with the Cherawa on the south, but stood as an impassable barrier to encroachments on their territory until the destructive war of 1711-1713. The exact location of the Tuscaroras can not be determined from Lederer's notes nor from Ogilby's or Lederer's map, further than that they occupied a very advantageous position in eastern North Carolina; but as indicative of the character of the people at this time (1670), especially the principal chief, Lederer says:

Not thinking fit to proceed farther, the 8th and 20th of June I faced about and looked homeward. To avoid Wiscocky marsh I shaped my course northeast; and after

three days' travel over hilly ways, where I met with no path or road, I fell into a barren, sandy desert, where I suffered miserably for want of water, the heat of summer having drunk all the springs dry and left no sign of any but the gravelly channels in which they run; so that if now and then I had not found a standing pool, which provident nature set round with shady oaks to defend it from the ardor of the sun, my Indian companion, horse, and self had certainly perished with thirst. In this distress we traveled till the 12th of July, and then found the head of a river, which afterwards proved Eruce, in which we received not only the comfort of a necessary and seasonable refreshment, but likewise the hopes of coming into a country again where we might find game for food at least, if not discover some new nation or people. Nor did our hopes fail us, for after we had crossed the river twice we were led by it, upon the 14th of July, to the town of Katearas, a place of great Indian trade and commerce and chief seat of the haughty emperor of the Tasskiroras, called Kaskrusara, vulgarly called Kaskrosa. His grim majesty, upon my first appearance, demanded my gun and shot, which I willingly parted with, to ransom myself out of his clutches; for he was the most proud, imperious barbarian that I met with in all my marches. The people here at this time seemed prepared for some extraordinary solemnity, for the men and the women of better sort had decked themselves very fine with pieces of bright copper in their hair and ears and about their arms and necks, which upon festival occasions they use as an extraordinary bravery; by which it would seem this country is not without rich mines of copper, but I durst not stay to inform myself in it, being jealous of some sudden mischief toward me from Kaskrosa, his nature being bloody and provoked upon any slight occasion.

Therefore, leaving Katearas, I traveled through the woods until the 16th, upon which I came to Kawitiokan, an Indian town upon a branch of Roenoke River, which here I passed over, continuing my journey to Menchaerink; and on the 17th, departing from thence, I lay all night in the woods, and the next morning, betimes going by Natoway, I reached that evening Apamatuck, in Virginia, where I was not a little overjoyed to see Christian faces again.

(For the full text of Lederer's notes and Dr. Hawks's comments, see Exhibit D.)

John Lawson, surveyor general of North Carolina, was the next explorer who left a permanent record of his travels among the Indian tribes of the Carolinas. He commenced his journey at Charlestown, December 28, 1700, passed up the Santee and Wateree Rivers, and thence across the foothills to the headwaters of the tributaries of the Neuse and thence down these rivers to the coast. For many days he thought that he had crossed to the headwaters of the Cape Fear River, but after encountering Enoe-Will, an Indian who acted as his guide and interpreter during the latter part of his journey, discovered his mistake. He apparently passed through the country of the Santees, Waterus, Cheraws, and Catawbas, and on the return trip through the country of the Catawbas, Tuscaroras, and Corees. It is possible that he may have entered the country of the Cherokees on the Hiwassee River, though this is by no means certain. I was fortunate in obtaining an original copy of the Lawson history, printed in London in 1718, from which I have copied liberally by photostat process. As in the case of the Lederer notes, it is not my purpose to review the Lawson history in extenso, but merely to call attention to such parts as relate to the lost colony and to the Indians with whom it is supposed they amalgamated. The history is addressed to the "Lords-Proprietors of the Province of Carolina in America," and the author says in the preface:

Having spent most of my Time, during my eight Years Abode in Carolina, in travelling; I not only survey'd the Sea-Coast and those Parts which are already inhabited by the Christians, but likewise view'd a spatious Tract of land, lying betwixt the Inhabitants and the Ledges of Mountains, from whence our noblest Rivers have their Rise, running towards the Ocean, where they water as pleasant a country as any in Europe, the Discovery of which being never yet made publick, I have, in the following Sheets, given you a faithful Account thereof, wherein I have laid down everything

with Impartiality, and Truth, which is indeed, the Duty of every Author, and preferable to a smooth Stile, accompany'd with Falsities and Hyperboles.

It seems evident that Lawson and his party were unable to converse with the Indians of the several tribes through which they passed, except in the sign language, until they encountered Enoe-Will, one of the headmen of the Coree tribe, a small tribe originally residing on the coast near the mouth of the Neuse River, and which was probably allied with the Hatteras, Pamlico, and other coast tribes. About the point of leaving the country of the Keyauwees, most of the party abandoned Lawson, with a view of proceeding to Virginia, leaving him and one companion to pursue their journey alone through North Carolina. On page 53 Lawson says:

This morning most of our Company having some Inclination to go straight away for Virginia, when they left this Place; I and one more took our leaves of them, resolving (with God's Leave) to see North Carolina, one of the Indians setting us in our way. The rest being indifferent which way they went, desired us, by all means, to leave a Letter for them, at the Achonechy-Town. The Indian that put us in our Path, had been a Prisoner amongst the Sinnagers; but had out-run them, although they had cut his Toes, and half his Feet away, which is a Practice common amongst them. They first raise the skin, then cut away half the Feet, and so wrap the Skin over the Stumps, and make a present Cure of the Wounds. This commonly disables them from making their Escape, they being not so good Travellers as before, and the Impression of their Half-Feet making it easy to trace them. However, this Fellow was got clear of them, but had little Heart to go far from home, and carry'd always a case of Pistols in his Girdle, besides a Cutlass, and a Furee.

Notwithstanding they were "put in their path" by the Indian referred to, Lawson and his companion apparently traveled a hundred miles or more without a guide. During this time they had nothing to subsist on but parched corn, and probably passed over the neutral territory between the Catawbas and the Tuscaroras. Near the "town" of Achonechy, probably 120 miles from the country of the Keyauwees, they encountered "30 horses coming on the road with four or five men on other jades, driving them." These proved to be a small company of Englishmen from Virginia, who were going into the Carolinas to trade with the Indians. The leading man was named Massey, and he advised Lawson by all means "to strike down the country for Roanoke, and not think of Virginia because of the Sinnegars." He also persuaded them to call upon Enoe-Will as they went to Adshusheer, "For that he would conduct them safe among the English," giving him the character of a very faithful Indian. About 3 o'clock they reached the town, and within two hours Enoe-Will came into the "King's" house, where they were staying. The next morning they set out with Enoe-Will "towards Adshusheer, leaving the Virginia path and striking more to the eastward for Roanoke." Lawson describes the journey to Adshusheer, where Enoe-Will resided "as a sad stony way" which made him quite lame. Here the Indians brought them two "cocks" (chickens), which to my mind is conclusive evidence that these Indians had previously come in contact with the whites, as Indians in their native state, as a rule, are destitute of domestic animals, except the horse and dog. Lawson says of Enoe-Will:

Our guide and landlord, Enoe-Will, was of the best and most agreeable temper that ever I met with in an Indian, being always ready to serve the English, not out of gain, but real affection.

The following day much rain fell and they stayed at the Indian town. The next morning they set out early and traveled about 10 miles,

when they were stopped by the high water in the river. Lawson thought that they were on some tributary of the Cape Fear River; but on inquiry of Enoe-Will he learned that it was Enoe River and emptied into a place called "Enoe Bay," near his country, which he left when he was a boy; by which Lawson perceived that Will was one of the Corees and that the river they were waiting to cross was a branch of the Neuse River. This locates the Corees when Will was a boy – probably 50 or more years previously –on the coast near the mouth of the Neuse River, and for the first time the traveler learned that he was much farther north than he had supposed.

On page 58, the author says:

> The next day, early, came two Tuckerora Indians to the other side of the river, but could not get over. They talked much to us, but we understood them not. In the afternoon, Will came with the mare and had some discourse with them. They told him the English, to whom he was going, were very wicked people; and that they threatened the Indians for hunting on their plantations.

This incident reveals the fact that the travelers were within or near the Tuscarora country, and that already friction existed between the English and the Tuscaroras. The author continues:

> Will had a slave, a Siesipahan Indian by nation, who killed us several turkeys and other game, on which we feasted.

Showing the existence of Indian slavery among the Corees (or Schoccores, as Lawson sometimes called them) at this time.

A short distance after crossing the branch of the Neuse River referred to, they halted for the night. The traveler carried an illustrated Bible with him and as they lay in camp at this place Enoe-Will asked to see the book. Lawson describes what took place as follows:

> My Guide Will desiring to see the Book that I had about me, I lent it him; and as he soon found the Picture of King David, he asked me several Questions concerning the Book, and Picture, which I resolved him, and invited him to become a Christian. He made me a very sharp Reply, assuring me, That he loved the English extraordinary well, and did believe their Ways to be very good for those that had already practiced them, and had been brought up therein, But as for himself, he was too much in Years to think of a Change, esteeming it not proper for Old People to admit of such an Alteration. However, he told me, If I would take his son Jack, who was then about 14 Years of Age, and teach him to talk in that Book, and make Paper speak, which they call our Way of Writing, he would wholly resign him to my Tuition; telling me, he was of Opinion, I was very well affected to the Indians.

This conversation between the traveler and his guide reveals several important things: First, that Enoe-Will must have been between 60 and 70 years old at this time, and that he was familiar with the fact that the English could "talk in a book" and "make paper speak." Couple this with the fact that the guide had an English name, "Will," which he probably assumed at the age of 20 or 21, and the information previously given by him that he lived on Enoe Bay when he was a boy, leads quite certainly to the conclusion that the Corees had come in contact with at least some portion of the lost colony. It must be remembered that when Will was a boy there were no English settlements on the east coast of North Carolina other than White's lost colony.

A few days after the conversation between the traveler and his guide, quoted above, Lawson reached the plantation of his friend, Mr. Richard Smith, on "Pamptigouch River," "where being well received by the inhabitants, and pleased with the goodness of the country, we all resolved to continue."

In the second part of his history, which the author designated "A description of North Carolina," he speaks of the early settlement of the country and of the lost colony as follows:

> The first Discovery and Settlement of this Country was by the Procurement of Sir Walter Raleigh, in Conjunction with some publick-spirited Gentlemen of that Age, under the protection of Queen Elizabeth; for which Reason it was then named Virginia, being begun on that Part called Roanak Island, where the Ruins of a Fort are to be seen at this day, as well as some old English Coins which have been lately found; and a Brass-Gun, a Powder-Horn, and one small Quarter deck-Gun, made of Iron Staves, and hooped with the same metal; which Method of making Guns might very probably be made use of in those Days, for the Convenience of Infant-Colonies.
>
> A farther Confirmation of this we have from the Hatteras Indians, who either then lived on Roanak-Island, or much frequented it. These tell us, that several of their ancestors were white People, and could talk in a Book, as we do; the Truth of which is confirmed by gray Eyes being found frequently amongst those Indians, and no others. They value themselves extremely for their Affinity to the English, and are ready to do them all friendly Offices. It is probable, that this Settlement miscarried for want of timely Supplies from England; or than' the Treachery of the Natives, for we may reasonably suppose that the English were forced to cohabit with them, for Relief and Conversation; and that in process of Time, they conformed themselves to the Manners of their Indian Relations. And thus we see how apt Humane Nature is to degenerate.
>
> I cannot forbear inserting here, a pleasant Story that passes for an uncontested Truth amongst the Inhabitants of this Place; which is, that the Ship which brought the first Colonies, does often appear amongst them, under Sail, in a gallant Posture, which they call Sir Walter Raleigh's Ship; And the truth of this has been affirmed to me, by Men of the best Credit in the Country.
>
> A second Settlement of this Country was made about fifty Years ago, in that part we now call Albemarl County, and chiefly in Chawon Precinct, by several substantial Planters, from Virginia, and other Plantations.

Lawson's history is regarded as the standard authority for the period it covers; I find it extensively quoted from by all subsequent historians; and if his statements concerning the amalgamation of the lost colony with the Hatteras Indians is not true, the "mystery" of what became of White's colony can never be solved. But there are many facts and circumstances which confirm Lawson's record.

When White returned to Roanoke Island in 1590, in accordance with the secret understanding between himself and the colonists, he found the word "Croatoan" graven upon a tree comprising one of the door posts of the palisade; and above it he found no cross or sign of distress. This, to my mind, indicated that the colonists were not captured in warfare by the Indians, but went with them voluntarily to find a better location than Roanoke Island. If they went with the Hatteras Indians voluntarily, amalgamation with them was inevitable.

I understand that when the act of the North Carolina Legislature designating them Croatans, was publicly read to the Indians, one aged Indian, a very intelligent man, remarked that he had always heard his ancestors say that they were Hatteras Indians. Manteo was friendly to the English, and would undoubtedly do everything in his power to protect them. On page 234 of his history Lawson describes the Hatteras Indians as consisting of one town residing on the Sand Banks, with 16 fighting men. The Hatteras Indians are described in the Hand Book of American Indians, Bureau of Ethnology (p. 537) as follows:

> HATTERAS.—An Algonquian tribe living in 1701 on the sand banks about C. Hatteras, N. C., E. of Pamlico Sound, and frequenting Roanoke Id. Their single village, Sandbanks, had then only about 80 inhabitants. They showed traces of white blood and claimed that some of their ancestors were white. They may have been identical

with the Croatan Indians (q. v.), with whom Raleigh's colonists at Roanoke Id. are supposed to have taken refuge.

The presence of gray eyes and fair skin among these people in Lawson's time can not be explained on any other hypothesis than that of amalgamation with the white race; and when Lawson wrote (1709) there was a tradition among the Hatteras Indians that their ancestors were white people "and could talk in a book"; and that "they valued themselves extremely for their affinity to the English and were ready to do them all friendly offices." I have already referred to the fact that Enoe-Will, a Coree Indian, who had been raised on the coast, and who was probably nearly 70 years of age when he acted as Lawson's guide, knew that the English could "talk in a book" and as he further expressed it, "could make paper talk," indicating that he was familiar with the customs of the English. The Corees are described in the "Hand Book," Bulletin No. 30 (p. 349), as follows:

COREE.—A tribe, possibly Algonquian, formerly occupying the peninsula S. of Neuse R., in Carteret and Craven Cos., N. C. They had been greatly reduced in a war with another tribe before 1696, and were described by Archdale as having been a bloody and barbarous people. Lawson refers to them as Coraine Indians, but in another place calls them Cannamox and gives them two villages in 1701—Coraine and Raruta—with about 125 souls. They engaged in the Tuscarora war of 1711, and in 1715 the remnants of the Coree and Machapunga were assigned a tract on Mattamuskeet Lake, Hyde Co., N. C., where they lived in one village probably until they became extinct.

There is an abiding tradition among these people at the present time that their ancestors were the lost colony, amalgamated with some tribe of Indians. This tradition is supported by their looks, their complexion, color of skin, hair and eyes, by their manners, customs and habits, and by the fact that while they are, in part, of undoubted Indian origin, they have no Indian names and no Indian language—not even a single word—and know nothing of Indian customs and habits. Speaking of the language of this people, Mr. McMillan says:

The language spoken is almost pure Anglo Saxon, a fact which we think affords corroborative evidence of their relation to the lost colony of White. Mon (Saxon) is used for man, father is pronounced "faythee," and a tradition is usually begun as follows:

"Man, my faythee told me that his faythee told him," etc. "Mension," is used for measurement, "aks" for ask, "hit" for it, "hoam" for home, "loyend" for loving, "houses" for houses. They seem to have but two sounds for the letter "a," one like short "o." Many of the words in common use among them have long been obsolete in English-speaking countries.

Col. Fred A. Olds, a newspaper correspondent of Raleigh, says of their language:

The language spoken by the Croatans is a very pure but quaint old Anglo-Saxon, and there are in daily use some 75 words which have come down from the great days of Raleigh and his mighty mistress, Queen Elizabeth. These old-Saxon words accost strangers instantly. For man they say "mon," pronounce father "faythee," use "mension" for measurement, "ax" for ask, "hoam" for home, "loyered" for loving, "wit" for knowledge, "houses" for houses; and many other words in daily use by them have for years been entirely obsolete in English-speaking countries.

Just when the colonists and the Indians with whom they amalgamated removed to the interior is not certainly known, but it is believed to have been as early as 1650. At the coming of the first white settlers to what is now known as Robeson County, there was found located on the banks of the Lumber River a large tribe of Indians, speaking the English language, tilling the soil, owning slaves, and practicing many of the arts of civilized life. McMillan says:

They occupied the country as far west as the Pee Dee, but their principal seat was on the Lumber, extending along that river for 20 miles. They held their lands in common and land titles only became known on the approach of white men. The first grant of land to any of this tribe, of which there is written evidence in existence, was made by King George II in 1732, to Henry Berry and James Lowrie, two leading men of the tribe, and was located on the Lowrie Swamp, east of Lumber River in present county of Robeson in North Carolina. A subsequent grant was made to James Lowrie in 1738. According to tradition there were deeds of land of older date, described as "White" deeds and "Smith" deeds, but no trace of their existence can be found at this date.

And what is of greater significance, a very large number of the names appearing among the lost colony are to be found among the Croatan Indians, a fact inexplicable upon any other hypothesis than that the lost colony amalgamated with the Indians.

These names, common to both, are printed in italics in the McMillan booklet. (Exhibit C.) The present investigation discloses that the Indian names, Indian language, and Indian customs and habits perished, while the English names, English language, and English customs and habits prevailed. Mr. McMillan adds:

The writer has been much interested in investigating the tradition prevalent among the Croatans and expresses his firm conviction that they are descended from the friendly tribe found on our east coast in 1587, and also descended from the lost colonists of Roanoke, who amalgamated with this tribe.

From the foregoing I have no hesitancy in expressing the belief that the Indians originally settled in Robeson and adjoining counties in North Carolina were an amalgamation of the Hatteras Indians with Gov. White's lost colony; the present Indians are their descendants with a further amalgamation with the early Scotch and Scotch-Irish settlers, such amalgamation continuing down to the present time, together with a small degree of amalgamation with other races.

I do not find that the Hatteras Indians or the so-called Croatan Indians ever had any treaty relations with the United States, or that they have any tribal rights with any tribe or band of Indians; neither do I find that they have received any lands or that there are any moneys due them.

CLAIM OF CHEROKEE ORIGIN.

Since writing the foregoing, the office has received and referred to me a communication, dated September 7, 1914, from Mr. A. W. McLean, of Lumberton, N. C., the local representative of these Indians, concerning their claim to Cherokee origin. Mr. McLean refers to a statement presented by him on February 14, 1913, to the House Committee on Indian Affairs, respecting the origin of these Indians, and asks that his communication be treated as supplemental to said statement. In the statement referred to Mr. McLean said in part:

We are of the opinion that they were originally a part of the great Cherokee Tribe of Indians, which inhabited the western and central portions of Carolina before the advance of the white man.

Indeed, Mr. McMillan, in his account before referred to, takes the position that they are of Cherokee descent, though we confess that we can not reconcile this contention with his main contention that they are descendants of Gov. White's or Sir Walter Raleigh's lost colony.

Long before historians began to study the origin of these people they claimed to be of Cherokee descent. In fact, they have always claimed that they were originally a part of the Cherokee Tribe and that they gave up their tribal relation after they had participated with the white man in the war against the Tuscaroras. These Indians had great roads or trails connecting their settlements with the principal seat of the Cherokee Tribe in the Allegheny Mountains. There is a well-authenticated tradition among them, handed down through several generations, that this small remnant after participating with the whites in the war against the Tuscaroras took up many of the habits and customs of the white man, and therefore refused to remove West with the great Cherokee Tribe. It is also certain that in this they were influenced by the admixture of Anglo-Saxon blood, which had taken place to some extent even in that remote period.

In the communication Mr. McLean says:

My opinion is, from a very exhaustive examination made before and after the hearing above mentioned, that these Indians are not only descendants of Sir Walter Raleigh's lost colony, as contended by Mr. Hamilton McMillan in his statement, a copy of which Mr. McPherson has in his possession, but that they are also mixed with the Cherokee Indians. In the first place, these Indians have contended from time immemorial that they were of Cherokee descent, and they further have had a tradition among them that their ancestors, or some of them, came from "Roanoke and Virginia." Roanoke and Virginia, of course, originally comprised all of eastern North Carolina, including Roanoke Island, the settlement of Sir Walter Raleigh's lost colony.

(For the full text of Mr. McLean's statement and communication see Exhibit F.)

The history and traditions of the Cherokee Indians of North Carolina, in my judgment, do not confirm the claim of the Robeson County Indians to Cherokee origin. The Cherokees were the mountaineers of the South, originally holding the entire Appalachian region from the headwaters of the Kanawha on the north to middle Georgia on the south. Their principal towns were upon the headwaters of the Savannah, Hiwassee, and Tuckasegee Rivers, and along the entire length of the Little Tennessee to its junction with the main stream. As far as I can learn, there is no tradition that they ever occupied the coast country in North Carolina or elsewhere. Indeed, interposed between the Cherokees and the coast were three or four powerful tribes with which they were in perpetual warfare. On the east and southeast the Tuscaroras and Catawbas were their inveterate enemies, with hardly even a momentary truce within historic times, and evidence is not wanting that the Sara or Cheraw were originally their deadly enemies. Had inclination led them toward the coast in the time of the earliest colonization they would probably have been driven back by other hostile tribes. In the Nineteenth Annual Report of the Bureau of Ethnology (p. 21), speaking of the early location of the Cherokees, it is stated:

From a careful sifting of the evidence, Haywood concludes that the authors of the most ancient remains in Tennessee had spread over that region from the south and southwest at a very early period, but that the latter occupants, the Cherokee, had entered it from the north and northeast in comparatively recent times, overrunning and exterminating the aborigines. He declares that the historical fact seems to be established that the Cherokee entered the country from Virginia, making temporary settlements upon New River and the upper Holston until, under the continued hostile pressure from the north, they were again forced to remove farther to the south, fixing themselves upon the Little Tennessee, in what afterwards became known as the middle towns. By a leading mixed blood of the tribe he was informed that they had made their first settlements within their modern home territory upon Nolichucky River, and that, having lived there for a long period, they could give no definite account of an earlier location. Echota, their capital and peace town, "claimed to be the eldest brother in the nation," and the claim was generally acknowledged. In confirmation of the statement as to an early occupancy of the upper Holston region,

it may be noted that "Watauga Old Fields," now Elizabethton, were so called from the fact that when the first white settlement within the present State of Tennessee was begun there, so early as 1769, the bottom lands were found to contain graves and other numerous ancient remains of a former Indian town which tradition ascribed to the Cherokee, whose nearest settlements were then many miles to the southward.

In this historical statement there is no tradition that the Cherokees had ever occupied any portion of the coast country.

The strongest and most persistent tradition of the Robeson County Indians is that their ancestors were a part of the "lost colony"; and it seems most probable that the lost colony, if amalgamated with any Indian tribe (which seems historically certain), amalgamated with a *coast* tribe and not with a "mountain tribe" residing 300 miles to the westward, between whom and the coast settlements three or four hostile tribes were interposed. In this connection it should not be overlooked that at the time of the earliest attempts at colonization, and at the time of the great Tuscarora War, the Coree and Hatteras Indians, who resided on the coast, were firm allies of the Tuscaroras; in fact, they could not have maintained their position on the coast as against the tribes farther west and southwest except through a firm alliance with the stronger Tuscaroras.

The first definite history of the Cherokees begins with the year 1540, at which date they were firmly established where they have always afterwards been known to reside, namely, in the mountain section of the Carolinas and Georgia. The earliest Spanish adventurers failed to penetrate so far into the interior, and the earliest entry into their country was made by the intrepid De Soto, who advanced into the interior in May, 1540, by way of the Savannah River, in his fruitless quest for gold. There is no record of a second attempt to penetrate the Cherokee country for 26 years. In 1561 the Spaniards took formal possession of the Bay of Santa Elena, now St. Helena, near Port Royal, on the coast of South Carolina. The next year the French made an unsuccessful attempt at settlement at the same place, and in 1566 Menendez made the Spanish occupancy sure by establishing there a fort which he called San Felipe. In November of that year Capt. Juan Pardo was sent with a party from the fort to explore the interior and probably penetrated into the Cherokee country, but on account of the deep snow in the mountains he did not think it advisable to go farther, and so returned. The following summer Capt. Pardo left Fort Santa Elena with a small detachment of troops and penetrated the Cherokee country, but the trip was fruitless of important results, and he returned, having discovered nothing more valuable than some mica mines.

It was at about this time that the Catawbas, residing east of the Cherokees, were at the height of their power and influence, and for nearly a hundred years they were engaged in petty warfare with the northern Iroquoian tribes, particularly with the Cherokees. During this period the Catawbas stood as a barrier between the Cherokees and the coast.

Not until 1654 did the English come in contact with the Cherokees, called in the records of that period Rechahecrians, probably a corruption of Rickahockans, apparently the name by which they were then known to the Powhatan Tribe in Virginia. In this year the Virginia colony, which had recently concluded an exterminating war with the Powhatans, was alarmed at the news of the approach of a large body of Rechahecrian Indians who had invaded the country and

established themselves at the falls of the James River. On page 30 of the Nineteenth Annual Report of the Bureau of Ethnology it is stated:

In 1670 the German traveler, John Lederer, went from the falls of James River to the Catawba country in South Carolina, following for most of the distance the path used by the Virginia traders, who already had regular dealings with the southern tribes, including probably the Cherokee. He speaks in several places of the Rickahockan, which seems to be a more correct form than Rechahecrian, and his narrative and the accompanying map put them in the mountains of North Carolina, back of the Catawba and the Sara and southward from the head of Roanoke River. They were apparently on hostile terms with the tribes to the eastward, and while the traveler was stopping at an Indian village on Dan River, about the present Clarksville, Va., a delegation of Rickahockan, which had come on tribal business, was barbarously murdered at a dance prepared on the night of their arrival by their treacherous hosts. On reaching the Catawba country he heard of white men to the southward, and incidentally mentions that the neighboring mountains were called the Suala Mountains by the Spaniards. In the next year, 1671, a party from Virginia, under Thomas Batts, explored the northern branch of Roanoke River and crossed over the Blue Ridge to the headwaters of New River, where they found trace of occupancy, but no Indians. By this time all the tribes of this section, east of the mountains, were in possession of firearms.

This reveals the fact that the Cherokees in the earlier part of their known history were on hostile terms with the tribes to the eastward, which, as before stated, included the powerful and warlike tribe of the Tuscaroras. The Catawbas were in immediate contact with the Cherokees on the south and east, but the Tuscaroras also stood as an impassable barrier between them and the coast. To the south of the Tuscoraras were the Sara or Cheraws, who in the earliest historical periods were also hostile to the Cherokees.

On page 38 of the ethnological report above referred to it is stated:

Throughout the eighteenth century the Cherokees were engaged in chronic warfare with their Indian neighbors. As these quarrels concerned the whites but little, however momentous they may have been to the principals, we have but few details. The war with the Tuscarora continued until the outbreak of the latter tribe against Carolina in 1711 gave opportunity to the Cherokee to cooperate in striking the blow which drove the Tuscarora from their ancient homes to seek refuge in the north. The Cherokee then turned their attention to the Shawano on the Cumberland, and with the aid of the Chickasaw finally expelled them from that region about the year 1715. Inroads upon the Catawba were probably kept up until the latter had become so far reduced by war and disease as to be mere dependent pensioners upon the whites. The former friendship with the Chickasaw was at last broken through the overbearing conduct of the Cherokee, and a war followed of which we find incidental notice in 1757, and which terminated in a decisive victory for the Chickasaw about 1768. The bitter war with the Iroquois of the far north continued, in spite of all the efforts of the colonial governments, until a formal treaty of peace was brought about by the efforts of Sir William Johnson (12) in the same year.

(For the full text of the history of the Cherokees as given in said report, see Exhibit G.)

Until after the exterminating war with the Tuscaroras in 1711-1713, it seems quite impossible that the Cherokees could have gotten to the coast of the Carolinas; but this was 124 years after the planting of the English colony on Roanoke Island by Gov. White.

As mentioned by Mr. McLean, it is quite probable that a small number of the Cherokees were allied with the whites, the Cheraw, and Catawba Indians against the Tuscaroras, for assertion to this effect is made by Williamson, Gregg and Mooney; but in a report of his Indian allies, made by Col. Barnwell himself, at Fort Narhantes (the stronghold of the Tuscaroras) on February 4, 1712, he does

not mention the Cherokees. I quote from the Handbook of American Indians, page 845:

In a letter dated at Narhantes Fort, February 4, 1712, Col. Barnwell gives a list of the various tribes of southern Indians who composed his motley army. In his own spelling these were: The Annasees, Hog Logees, Apalatchees, Cussaboy, Watteresses, Sagaresses, Catawbas, Sutereses, Waxams, Congaresses, Satteses, Pedees, Wenaws, Cape Fears, Hoopengs, Warepeesses, Saraws, and Saxapahaws. Fort Narhantes, according to Barnwell, was the largest and most warlike town of the Tuscaroras.

When the Tuscaroras were first visited by Lawson they possessed the country lying between the coast of North Carolina and the foothills, having 16 towns and about 1,200 warriors. (For their history, their alliance with the small coast tribes, their struggles with other tribes, the Tuscarora War, etc., see Exhibit H.)

After the close of the Tuscarora War it is possible that a few of the Cherokee Indians taking part therein remained in what is now Robeson County and amalgamated with the Indians then residing there; but it must be remembered that when the first Scotch settlers located in that section of country they found seated on the Lumber River and its tributaries a tribe of Indians *speaking English*, tilling the soil like white men, owning slaves, and practicing many of the arts of civilized life. This could not have been the Cherokees, for there is no tradition among them that they ever spoke the English language; but it does constitute one of the strongest links in the chain of evidence that this "Indian tribe" were the descendants of the "lost colony" which by force of necessity had become amalgamated with one of the coast tribes. While I say it is possible that some of the Cherokees who took part in the Tuscarora War may have remained in the east and amalgamated with the coast tribes, including the so-called Croatans in Robeson County, it is much more probable that they induced individual members of these tribes to migrate west with them, for it is a matter of history that the remnants of some of these small coast tribes did migrate west and became absorbed in the larger tribes, and in this way lost their identity. To my mind it is much more probable that some of the Croatans went west and became absorbed by the Cherokees than that a few Cherokees remained east and became absorbed by the Croatans. It is not unlikely that in this way the ancestors of the John Lowrie who signed the Cherokee treaty of 1806 may have been connected with the Croatans, but emigrated west after the Tuscarora War. But the circumstance of the similarity of names between the signer of the treaty of 1806 and one of the leading families of the Croatans would carry little weight as establishing identity between the two, for among the Cherokees in 1806 were a number of English and Scotch names, and a few of French origin; and the name Lowrie or Lowrey was then, as it is now, a very common English name, and might appear in several of the Indian tribes. The mere "tradition" that the two families were related, in the absence of record evidence to this effect, could have but little weight for, as explained in the earlier part of this report, the Indians are a people of traditions and in the absence of record evidence are content to accept tradition as fact.

The tradition obtained by Gregg from William H. Thomas that the Cherokees originally occupied the territory assigned to the Catawbas, [illegible] battle between them, lasting from

morning until night, resulting in frightful losses on both sides, as a result of which an agreement was entered into between them by the terms of which the Catawbas were to occupy the country formerly occupied by the Cherokees and the Cherokees were to remove farther west into the mountains, does not seem to be substantiated by the reports of the Ethnological Bureau. For the first chapter in Gregg's History of the Old Cheraws, in which he relates this tradition and gives the origin of the names of certain rivers in South Carolina, see Exhibit I. The map included in the narrative (p. 197) taken from map in Volume I, Transactions of American Ethnological Society, no doubt shows correctly the relative locations of the several tribes occupying the territory of the Carolinas when the earliest explorations were made by the whites. Reference is particularly made to this map for such locations.

The Catawbas were the most important of the Eastern Siouan tribes, and doubtless had a number of conflicts with the Cherokees, but the Cherokees were essentially mountaineers, and held dominion over the Appalachian Chain from the headwaters of the Kanawha to central Georgia. The Cherokees were of Iroquoian stock while the Catawbas were of Siouan stock, and racial differences may have had something to do with their petty conflicts. The principal villages of the Catawbas were formerly on the west bank of the river, in what is now York County, S. C., opposite the mouth of Sugar Creek. I quote from the Hand Book of American Indians, pages 213 and 214:

Further investigations by Hale, Gatschet, Mooney, and Dorsey proved that several other tribes of the same region were also of Siouan stock, while the linguistic forms and traditional evidence all point to this E. region as the original home of the Siouan tribes. The alleged tradition which brings the Catawba from the N., as refugees from the French and their Indian allies about the year 1660 does not agree in any of its main points with the known facts of history, and if genuine at all, refers rather to some local incident than to a tribal movement. It is well known that the Catawba were in a chronic state of warfare with the northern tribes, whose raiding parties they sometimes followed, even across the Ohio.

The first notice of the Catawba seems to be that of Vandera in 1573, who calls them Iasa in his narrative of Pardo's expedition. Nearly a century later, in 1670, they are mentioned as Usherry by Lederer, who claims to have visited them, but this is doubtful.

Lawson, who passed through their territory in 1701, speaks of them as a "powerful nation" and states that their villages were very thick. He calls the two divisions, which were living a short distance apart, by different names, one the Kadapau and the other the Esaw, unaware of the fact that the two were synonyms. From all accounts they were formerly the most populous and most important tribe in the Carolinas, excepting the Cherokee.

(For the full text of the history of the Catawbas as given in the Hand Book, see Exhibit J.)

Referring to the origin of certain names, as mentioned by Gregg, it is stated in the Nineteenth Annual Report of the Bureau of Ethnology that the word "Cherokee" has no meaning in the Cherokee language, and seems to be of foreign origin. As used among themselves the form is Tsa-lagi or Tsa-ragi. It first appears as Chalaque in the Portuguese narrative of De Soto's expedition, published originally in 1557. There is evidence that it is taken from the Choctaw word Choluk or Chiluk, signifying a pit or cave, derived from the Mobilian trade language, a corrupted Choctaw jargon formerly used as a medium of communication among all the tribes of the Gulf States. As given by Gatschet, the Catawba name for the Cherokees was Manteran, meaning "coming out of the ground," which is nearly

equivalent to the meaning contained in the Choctaw word. The report adds:

Adair's attempt to connect the name Cherokee with their word for fire, *atsila*, is an error, founded upon imperfect knowledge of the language.

(See Exhibit G, pp. 133 to 179.)

The word "Santee" (the name of an eastern Siouan tribe) is from the Sioux or Dakota word "insanyati," meaning Knife Lake.

The word "Wateree" (also the name of an eastern Siouan tribe) is probably from the Catawba word "wateran," meaning to float on the water.

Congaree is the name of a small eastern Siouan Tribe and the word is probably of Siouan origin; and Pedee is likewise the name of a small Siouan tribe and the word is thought to be of Siouan origin. While the word "Lumbee" is not found in the Hand Book (the Lumber River was anciently called the Lumbee) it is probably of the same origin. The "Lumbee" River is a branch of the Pedee and the similarity of the names would suggest the same origin. All these small Siouan tribes were originally parts of or confederated with the Cheraws, and about 1739, with the Cheraws, became incorporated with the Catawbas. For a complete history of all these small tribes, see Hand Book of American Indians.

The Cheraws are of Siouan stock, and originally ranged from southern Virginia to the Cape Fear River in South Carolina, their principal seat being near the town of Cheraw, S. C., which takes its name from them. In numbers they probably stood next to the Tuscaroras, but are much less prominent in history because of their almost complete destruction by the time the white settlements reached them. They were first visited by De Soto in 1540 and later by Lederer and Lawson. They were undoubtedly known to the Cherokees in very early times for they ranged over a part of the territory originally claimed by the Cherokees, but I find no authentic history that they were ever a part of the Cherokees or even allied with them. It is much more probable that they had numerous conflicts with the Cherokees in early times as they ranged over their territory and were continually harassed by the Iroquoian tribes. The Cherokees are of Iroquoian stock, while ethnologists claim that the Cheraws were of Siouan stock, and on account of this racial difference and difference in language, there is no reasonable probability that an alliance ever existed between them. The Cheraws were continually harassed by the Iroquoian tribes, and about 1710 were compelled to remove farther southeast and joined the Keyauwee, a small Siouan tribe. Being still subject to attacks by the Iroquois, between 1726 and 1739, they became incorporated with the Catawbas. The last historical notice of them was in 1768, when their remnant, reduced by war and disease, were still living with the Catawbas. The final absorption of the Cheraws by the Catawbas seems to refute the claim that the Cheraws were a branch of the Cherokee Tribe. It is not improbable, however, that there was some degree of amalgamation between the Indians residing on the Lumber River and the Cheraws, who were their nearest neighbors.

(For a full history of the Cheraws and Cherokees, as given in the Hand Book of American Indians, see Exhibit K.)

THEIR PRESENT CONDITION.

It is not altogether easy to describe the exact condition of these Indians. They are essentially a farming people, living almost exclusively in the country, and in many respects their condition is identical with that of their white neighbors among whom they live. A much less proportion of the heads of families, however, are landowners than among the whites, which means a much less degree of prosperity. It is conservatively estimated that not more than one-quarter of the heads of families are landowners, the holdings frequently amounting to only 4 or 5 acres; it follows that the great majority of them are renters. But in the communities where their land holdings are equal to that of the whites they give evidences of equal prosperity, and as I went through such settlements, from farm to farm, it was impossible for me to tell from outward appearance whether I was passing the farm of an Indian or that of a white man. One of these Indians is the owner of 500 acres of land; two or three others own about 300 acres each, and lesser amounts are owned by a considerable number. These men would be classed as prosperous farmers in any community. But it must be understood that most of the land in Robeson County is very level and a considerable proportion is included in swamps and lowlands. The tillable land of the county, however, would be classed as fertile bottom land, readily susceptible of raising large crops of cotton, tobacco, and corn.

Among the small landowners and renters a lesser degree of prosperity prevails, and among very many families there is much poverty and wretchedness. Many of the very old people who are unable to care for themselves are extremely needy and should be sent to the Home for the Aged and Infirm of Robeson County. It may be said of the entire body of Indians that they speak only the English language; that they are good farmers and cultivate their lands equally as well as the whites; that they are entirely self-supporting and self-reliant; that many of them live in substantial houses; and that all of them practice the arts and habits of civilized life. In these respects they are different from most of the Indian tribes.

The following statement of property owned by these Indians was furnished me by the State auditor:

Answering your letter of July 24, which you handed me this date, I give you the following information, taken from the records of this department:

	1912	1913
ROBESON COUNTY.		
Number of Indian polls	969	1,010
Value of property listed for taxation	$462,900	$506,094
SCOTLAND COUNTY.		
Number Indian polls	38	44
Value of property listed for taxation	30,500	35,000
HOKE COUNTY.		
Number of Indian polls	13	28
Value of property listed for taxation	32,574	84,463

The records on file in this department from Cumberland, Bladen, and Columbus Counties do not show any Indian polls.

EDUCATIONAL FACILITIES.

Prior to 1835 the adult male Croatans exercised the right of franchise in North Carolina, and it seemed to be the current tradition that at least a few of the children attended the white schools, wherever schools for the whites had been established in Indian settlements; but for the most part they were compelled to attend "subscription" schools organized and conducted by themselves. By clause 3 of section 3 of the amendments to the constitution of 1835, the Croatans lost the right of franchise, and from that date until the adoption of the constitution of 1868 they were regarded and treated as "free persons of color"—which practically meant free negroes—and during this period they were not permitted to attend the schools for whites; there were practically no educational facilities open to the Indians at this time. There were doubtless some subscription schools, but they must have been of the poorest sort.

Between 1868 and 1885 efforts were made to compel the Indians to attend the negro schools, but they persistently refused to do this, preferring to grow up in ignorance rather than attend the colored schools. It would be more accurate to say that parents would not permit their children to attend the negro schools, preferring rather that they should grow up in total ignorance. The children raised to manhood and womanhood during this period are the most densely ignorant of any of these people.

Up to 1885 these people had been without name or designation, but through the efforts of Hon. Hamilton McMillan, by an act of the General Assembly of North Carolina of February 10, 1885, they were designated "Croatan Indians," and by the same act they were granted separate schools for their children, school committees of their own race and color, and were allowed to select teachers of their own choice, subject to the same rules and regulations applicable to all teachers under the general school laws. By section 2 of the act the county board of education was directed to see that the act was carried into effect, and to proceed to establish suitable school districts as shall be necessary for their convenience, and to do all necessary things to carry the act into effect. Under this act the number of free public schools has increased to such an extent as to fairly meet the needs of the Indians. I heard no complaint on account of their district schools. Their teachers are selected by their own school committees, and as a rule are of their own race. Practically all their teachers have attended their normal school.

Mr. J. R. Pool, the county superintendent of school for Robeson County, furnished me with the school statistics of the Indians for the school years 1912–13 and 1913–14. I glean the following facts from his statement:

Scholastic year 1912–13.

Census (6 to 21 years of age)	2,643
Enrollment (6 to 21)	1,662
Average daily attendance	970
Number of schools	27
Number of teachers (male 21, female 11)	32
Number of districts	27
Value of school buildings	$7,900
Average length of term ... days	65.7
Average, special-tax districts ... do	111.43

Expended for repairs	$500
Teachers' salaries	$5,475.25

Scholastic year 1913-14.

Census (6 to 21 years of age)	2,948
Enrollment (6 to 21)	1,854
Average daily attendance	1,164
Number of schools	27
Number of teachers	36
For repairs and new buildings	$1,160
Total value school buildings	$9,060
Average length of term (all schools) ... days	102.66
Average in special tax exhibits ... do	104
Teachers' salaries	$6,410.25

(See Exhibit M.)

NORMAL SCHOOL.

The act of the General Assembly of North Carolina, ratified March 7, 1887, provided for a normal school for the Indians of Robeson County. Four Indian trustees were appointed and were given full power to select three additional trustees, to rent or acquire suitable buildings, to appoint teachers, and to do all necessary things to inaugurate a normal school. The sum of $500 was appropriated annually for two years for the support of the school. The school was at first located near Pates in a building formerly used for district school purposes, but after the destruction of this building by fire it was removed to the town of Pembroke, where a much larger building was erected, consisting of four rooms.

By the act of the general assembly of March 8, 1911, the board of trustees of the normal school was empowered to convey by deed the title to all the property of said school to the State board of education. Section 2 of the act authorized the State board of education to appoint seven members of the Indian race to constitute the board of trustees for the school. The appropriation for the school has been increased from time to time, the present appropriation being at the rate of $2,750 per annum. I have no statistics as to the enrollment and attendance at the school, but I understand that it has always been maintained to the exhaustion of the appropriation, and that it has contributed greatly to the educational advantages of these people in the preparation of teachers for their district schools.

LEGISLATION BY THE STATE OF NORTH CAROLINA.

Prior to the adoption of certain amendments to the constitution on the second Monday of November, 1835, the Croatan Indians voted and otherwise enjoyed all the rights and privileges of the elective franchise for State officials; but clause 3 of section 3 of the amendments adopted on said date provided that no free negro, free mulatto, or free person of mixed blood, descended from negro ancestors to the fourth generation, inclusive (though one ancestor of each generation may have been a white person) shall vote for members of the senate or house of commons. (See Exhibit L1.) Under this clause they were subsequently denied the right of franchise.

Section 7, chapter 68, of the acts of the general assembly of 1854, provides that all marriages since the 8th day of January, 1839, and all marriages in the future between a white person and a free negro, or free person of color, to the third generation, shall be void. It was held that the term "or free person of color" applied to the Croatans; but, notwithstanding this prohibition, I understand that occasional marriages between the Indians and white persons occurred. I was unable to ascertain whether or not any such marriages had been declared void. (See Exhibit L2.)

An amendment to the constitution of North Carolina in 1857 provides that every free white man of the age of 21 years, being a native or naturalized citizen of the United States, and who has been an inhabitant of the State for 12 months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the senate for the district in which he resides. (See Exhibit L3.)

Section 1 of article 6 of the constitution of 1868 provides that every male person born in the United States, and every male person who has been naturalized, 21 years of age, and possessing the qualifications set out in said article, shall be entitled to vote at any election by the people in the State except as therein otherwise provided. After the adoption of the constitution of 1868 the right of franchise was restored to the Croatans.

The amendment of 1902 to section 4 of article 6 of the constitution of 1868 reads:

> Every male person born in the United States, and every male person who has been naturalized, 21 years of age and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State except as herein otherwise provided.
>
> * * * * * * * *
>
> SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the 1st day of May of the year in which he proposes to vote, his poll tax for the previous year as prescribed by article 5, section 1, of the constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed: *Provided*, He shall have registered in accordance with the terms of this section prior to December 1, 1908. The general assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State unless disqualified under section 2 of this article: *Provided*, Such person shall have paid his poll tax as above required.

(See Exhibit L4.)

This section is what is known as the "grandfather clause" of the constitution of North Carolina, which denies the right of franchise to those who are not able to read and write any section of the constitution in the English language; but this clause is held not to apply to the Indians of Robeson County for the reason that they, or their ancestors, prior to 1867, or at a time prior to said date, were entitled to vote under the laws of the State. The Indians, of course, must pay their poll tax and must comply with the registration provisions.

In the case of the State *v.* Manuel (20 N. C., 144) Justice Gaston held:

> Upon the Revolution no other change took place in the laws of North Carolina than was consequent upon the transition from a colony dependent upon a European king to a free and sovereign State. Slaves remained slaves. British subjects in North Carolina became North Carolina freemen. Foreigners, until made members (citizens) of the State, continued aliens. Slaves manumitted here became freemen, and

therefore if born within North Carolina are citizens of North Carolina; and all free persons born within the State are born citizens of the State.

(See Exhibit L5.)

Under this decision, which was subsequent to the constitution of 1835, which deprived free negroes and free mulattoes of the right to vote, "free persons of color" (the Croatan Indians) were not included, and it seems that they should not have been denied the right of suffrage.

Section 1 of chapter 51, laws of 1885, provides that the Indians of Robeson County and their descendants shall hereafter "be designated and known as the Croatan Indians." It should be noted that the act does not declare that they are Croatan Indians, but merely designates or names them Croatans, by which name they shall thereafter be known.

Section 2 of the act provides that said Indians and their descendants shall have separate schools for their children, school committees of their own race and color, and shall be allowed to select teachers of their own choice, subject to the same rules and regulations that are applicable under the general school law. The remaining sections of the act provide for putting the schools into operation under the general laws applicable to free schools within the State. (See Exhibit L5½.) Prior to this enactment the Indians had no separate schools for the education of their children. Efforts had been made to compel them to attend the schools established for the negro population, but they steadfastly resisted such efforts and absolutely declined to attend the colored schools. The statistics respecting the number of schools, number of children of school age, attendance, etc., will be found under a separate heading.

Section 1, chapter 400 of the laws of 1887, provides that W. L. Moore, James Oxendine, James Dial, Preston Locklear, and others who may be associated with them shall constitute a body politic and corporate for educational purposes in the county of Robeson, under the name and style of the "Trustees of the Croatan Normal School"; that they shall have perpetual succession with the right to sue and be sued, etc. The other sections of the act provide for putting the said normal school into operation, and section 7 appropriates $500 annually for the period of two years for the support of the school. This appropriation has been increased from time to time, the present appropriation for the support of the school being $2,750. (See Exhibit L6.) The purpose of the normal school is to prepare persons as teachers for their public schools, and I understand that practically all the teachers in their district schools have attended the normal school.

Section 1, chapter 254 of the laws of 1887, amends section 1810 of the Code of North Carolina by adding thereto the words:

That all marriages between an Indian and a negro or between an Indian and a person of negro descent to the third generation, inclusive, shall be utterly void: *Provided*, That the act shall apply only to the Croatan Indians.

(See Exhibit L7.)

Section 1, chapter 458 of the laws of 1889, provides that the Croatan Indians of Richmond County and their descendants shall be entitled to the same school privileges and benefits as are the Croatan Indians of Robeson County. (See Exhibit L8.)

Section 1, chapter 60 of the laws of 1889, amends section 2 of the laws of 1885 by adding after the word "law," in the last line of said section, the words:

And there shall be excluded from such separate schools for the said Croatan Indians all children of the negro race to the fourth generation.

(See Exhibit L9.)

Section 1, chapter 536 of the laws of 1897, provides for the expenditure of an unexpended balance of $281.25, being the unexpended appropriation of 1895 for the support of the Croatan Normal School. (See Exhibit L10.)

Section 1, chapter 168 of the laws of 1911, authorizes the trustees of the Croatan Normal School to convey the property by deed to the State board of education, and authorizes said board to accept the same. Section 2 authorizes the State board of education to appoint seven members of the Indian race, formerly known as Croatans, to constitute a board of trustees for said school, and the remaining sections provide that such board of trustees and their successors shall manage and control the affairs of the Croatan Normal School. (See Exhibit L11.)

Section 1, chapter 215 of the laws of 1911, provides that chapter 51 of the public laws of North Carolina, session of 1885, be amended by striking out the words "Croatan Indians" wherever the same occur in said chapter and inserting in lieu thereof the words "Indians of Robeson County." Section 2 provides that in all laws enacted by the General Assembly of North Carolina relating to said Indians subsequent to the enactment of said chapter 51 of the laws of 1885 the words "Croatan Indians" shall be stricken out and the words "Indians of Robeson County" shall be inserted in lieu thereof. Section 3 provides that the said Indians residing in Robeson and adjoining counties, who have heretofore been known as Croatan Indians, together with their descendents, shall hereafter be known and designated as "Indians of Robeson County," and by that name shall be entitled to all the rights and privileges conferred by any of the laws of North Carolina upon the Indians heretofore known as Croatan Indians. Section 4 provides that the school situated near the town of Pembroke, in Robeson County, known as the Croatan Indian Normal School, shall hereafter be known and designated as "The Indian Normal School of Robeson County," and under that name shall be entitled to all the privileges and powers heretofore conferred by law upon said school.

Section 5 of the act takes up a new line of legislation and provides that the board of directors of the State hospital for the insane at Raleigh be authorized and directed to provide and set apart at said hospital, as soon after the passage of the act as practicable, suitable apartments and wards for the accommodation of any of said Indians of Robeson County who may be entitled under the laws relating to insane persons to be admitted to said hospital.

Section 6 authorizes and directs the sheriff, jailor, or other proper authorities of Robeson County to provide in the common jail of the county and in the Home for the Aged and Infirm of Robeson County separate cells, wards, or apartments for the said Indians in all cases where it shall be necessary under the laws of the State to commit any of said Indians to the jail or to the County Home for the Aged and Infirm. (See Exhibit L12.)

Section 1, chapter 123, of the laws of 1913, provides that chapter 215 of the public laws of North Carolina, session of 1911, be amended by striking out in the last line of section 1 of said act the words "Indians of Robeson County," and inserting in lieu thereof the words "Cherokee Indians of Robeson County"; that is to say, the designation of said Indians was changed from "Indians of Robeson County" to "Cherokee Indians of Robeson County." The other sections of the act make provision for the corresponding change in the designation of said Indians wherever the designation "Indians of Robeson County" occurs in the laws of the State. (See Exhibit L13.)

Section 1, chapter 199, of the laws of 1913, enacted March 12, 1913, provides for an appropriation of $500 in addition to the $2,500 already appropriated for the support of the normal school for said Indians, for the years 1913 and 1914. (See Exhibit L14.)

THEIR NEEDS.

As already indicated, a considerable number of these Indians, probably rather less than one-eighth, are prosperous farmers; another group, amounting approximately to one-eighth, are fairly well-to-do; about one-half of them would be classed as poor people, and about one-quarter of them as very poor, but entirely self-supporting. This classification relates to the families, considered as a unit. The families, as a rule, are very large, and the children under 18 years of age greatly outnumber the adults. Any financial assistance extended to the poorer classes, in the way of furnishing them with lands and with means to properly cultivate their lands, would be of great benefit to them and would undoubtedly be gratefully received.

In a personal canvas of a very large number of the heads of families I found that they differed widely as to what would be the best method of extending assistance to individual families, but there was entire unanimity of opinion as to the way in which the entire body of people could best be helped, namely, in providing them with some higher institution of learning where the more ambitious of their young people could obtain a better education than is now possible and better training for useful occupations in life.

Their district schools I am told will compare favorably with the district schools of the colored people and the whites residing in the same vicinities, and their normal school, if better equipped and better supported, would furnish them teachers for their district schools, but there are no higher institutions of learning in North Carolina, to which they have access, where they can send their youth who desire to obtain a more liberal education; the State institutions for the education of the white and colored youth are not open to the Indians of Robeson and adjoining counties. In consequence, their young people who desire to obtain a better education than that furnished through the medium of the normal school are unable at present to do so. It is true that these young people could attend the Carlisle Indian School, and other nonreservation Indian schools, but most of them are too poor to do so, and besides these nonreservation Indian schools do not furnish precisely the character of training they desire.

In addition to the common or district schools and the normal schools for both white and colored children, the State of North

Carolina has provided the youth of both these races with institutions of learning imparting instruction in agriculture and the mechanic trades, and to some extent in domestic science; but there are no such schools of higher instruction open to these Indians. As I understand the matter, they are prohibited by law from attending these higher institutions of learning established for the education of white and colored youth. It is conjectured that the very limited number of these Indians, compared with the white and colored population, accounts for this discrimination.

I might say here that in my judgment, the children of these Indians, as a rule, are exceedingly bright, quick to learn from books, as well as from example, and are very eager to obtain further educational advantages than are now open to them. If the reverse were true, there would be little encouragement to furnish them with higher institutions of learning when they were incapable of taking advantage of their present educational facilities or indifferent about obtaining a higher education; but I believe the more ambitious of their youth to be eager to attend higher institutions of learning than those now provided.

While these Indians are essentially an agricultural people, I believe them to be as capable of learning the mechanical trades as the average white youth. The foregoing facts suggest the character of the educational institution that should be established for them, in case Congress sees fit to make the necessary appropriation, namely, the establishment of an agricultural and mechanical school, in which domestic science shall also be taught.

The preparation of this report has been somewhat delayed since my return from North Carolina because of the great amount of historical research called for by the investigation.

The correspondence in connection with the investigation is filed as Exhibit M.

Very respectfully submitted.

O. M. McPHERSON,
Special Indian Agent.

EXHIBIT A.

Exhibit A1.

SENATE RESOLUTION 410, SIXTY-THIRD CONGRESS, SECOND SESSION.

Resolved, That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

Exhibit A2.

OFFICE INSTRUCTIONS JULY 23, 1914.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 23, 1914.

Mr. O. M. MCPHERSON, *Special Agent.*

MY DEAR MR. MCPHERSON: Upon the receipt of these instructions, or as soon thereafter as practicable, you will proceed to North Carolina for the purpose of investigating the affairs of the Croatan Indians of Robeson and adjoining counties of that State, as provided for by Senate resolution 410.

This resolution reads:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

Extreme care should be exercised by you in obtaining all pertinent facts relative to the condition and tribal rights of these Indians in order that this office may be prepared to submit to the next Congress, through the department, full information responsive to said resolution.

Very truly, yours,

CATO SELLS, *Commissioner.*

Exhibit A3.

ELEVENTH CENSUS UNITED STATES, 1890.

NORTH CAROLINA.

Indian population as of June 1, 1890.

Total	1,516
Indians in prison, not otherwise enumerated	2
Indians, self-supporting and taxed (counted in the general census)	1,514

The civilized (self-supporting) Indians of North Carolina, counted in the general census, number 1,514 (741 males and 773 females), and are distributed as follows:

Cherokee County, 47; Cumberland County, 28; Graham County, 151; Harnett County, 27; Jackson County, 314; Moore County, 15; Robeson County, 174; Swain County, 700; other counties (7 or less in each), 58.

The Indians of North Carolina are mostly descendants of the Cherokees, many of whom have so little Indian blood as in no way to attract the attention of a stranger. A considerable property interest attaches to membership in the Cherokee tribe, and it is claimed by some parties that there are more entitled to enumeration as Indians than were so designated by the census enumerators.

It is in no way surprising that enumerators should return so few Indians, as many of them are not distinguishable from whites except on special investigation as to their racial relations. On the other hand, the claims of some who wish to be enrolled as Cherokees would be disputed. There is a marked tendency among the eastern Cherokees to emigrate to the Indian Territory, and the number in North Carolina appears to be gradually diminishing from this cause.

By the laws of North Carolina the Indians vote and they are subject to a property tax, but they are not allowed within the third generation to marry whites.

The Indians of North Carolina were enumerated with the general population and were entered as 1,514, of whom 174 are in Robeson County and are known as Croatans. Claims are made that both Croatans and Cherokees far exceed the numbers given by census enumerators for Indians in the counties in which these people live. The State of North Carolina recognizes a greater number as Croatans than are returned as Indians in Robeson County.

THE CROATANS.

A body of people residing chiefly in Robeson County, N. C., known as the Croatan Indians, are generally white, showing the Indian mostly in actions and habits. They were enumerated by the regular census enumerator in part as whites. They are clannish and hold with considerable pride to the traditions that they are the descendants of the Croatans of the Raleigh period of North Carolina and Virginia.

Mr. Hamilton McMillan, of Fayetteville, N. C., in 1888, published a pamphlet of 27 pages, the title page of which is as follows: "Sir Walter Raleigh's Lost Colony * * * with the traditions of an

Indian tribe in North Carolina," Wilson, N. C. This pamphlet is to show that Raleigh's colony was carried off by the Indians, and that the Croatan Indians of North Carolina are their descendants. Mr. McMillan also, in answering an inquiry in reference to the Croatans, wrote the following to the Commissioner of Indan Affairs:

RED SPRINGS, N. C., *July 17, 1890.*

* * * The Croatan tribe lives principally in Robeson County, N. C., though there is quite a number of them settled in counties adjoining in North and South Carolina. In Sumter County, S. C., there is a branch of the tribe, and also in east Tennessee. In Macon County, N. C., there is another branch, settled there long ago. Those living in east Tennessee are called "Melungeons," a name also retained by them here, which is a corruption of "Melange," a name given them by early settlers (French), which means mixed. * * * In regard to their exodus from Roanoke Island their traditions are confirmed by maps recently discovered in Europe by Prof. Alexander Brown, member of the Royal Historical Society of England. These maps are dated in 1608 and 1610, and give the reports of the Croatans to Raleigh's ships which visited our coast in those years. * * * The particulars of the exodus preserved by tradition here are strangely and strongly corroborated by these maps. There can be little doubt of the fact that the Croatans in Robeson County and elsewhere are the descendants of the Croatans of Raleigh's day.

In 1885 I got the North Carolina Legislature to recognize them as Croatans and give them separate public schools. In 1887 I got $500 a year from the State for a normal school for them for 2 years. In 1889 the appropriation was extended three years longer.

Their normal school needs help; at least $500 more is needed. The appropriation for the public schools amounts to less than $1 a head per annum.

February 10, 1885, the general assembly of North Carolina provided by law for separate schools for the Croatan Indians of North Carolina. This act contained the following:

Whereas the Indians now living in Robeson County claim to be descendants of a friendly tribe who once resided in eastern North Carolina, on the Roanoke River, known as the Croatan Indians, therefore, the general assembly of North Carolina do enact:

SECTION 1. That the said Indians and their descendants shall hereafter be designated and known as the Croatan Indians.

The provisions for separate schools follow.

March 7, 1887, the general assembly of North Carolina established the Croatan normal school in Robeson County for the Croatan Indians, and February 2, 1889, the same body enacted that all children of the negro race to the fourth generation should be excluded from the Croatan separate Indian schools. The Croatan normal school is at Pates.

The census enumerators recognized 174 persons in Robeson County as Indians. The State school report for the year ending June 30, 1890, shows 649 boys and 593 girls between 6 and 21 years of age among the Croatans of Robeson County, of whom 188 boys and 422 girls attended school. The disbursements for the Croatan schools by the county treasurer were $765.75 to pay teachers and $284.87 for schoolhouses and sites.

J. W. Powell, under date of January 11, 1889, wrote of the Croatans:

Croatan was in 1585 and thereabouts the name of an island and Indian village just north of Cape Hatteras, N. C. White's colony of 120 men and women was landed on Roanoke Island, just to the north, in 1587, and in 1590, when White returned to revisit the colony, he found no trace of it on Roanoke Island, save the name "Croatoan" carved upon a tree, which, according to a previous understanding, was interpreted to mean that the colonists had left Roanoke Island for Croatan. No actual trace of the missing colonists was ever found, but more than 100 years afterward Lawson obtained traditional information from the Hatteras Indians which led him to believe that the colonists had been incorporated with the Indians. It was thought that traces of white blood could be discovered among the Indians, some among them having gray eyes. It is probable that the greater number of the colonists were killed; but it was quite in keeping with the Indian usages that a greater or less number, especially women and children, should have been made captive and subsequently incorporated into the tribe. The best authority to be consulted with regard to the above colony is Hawks' History of North Carolina, Fayetteville, N. C., 1858, volume 1, pages 211, 225, 258.

The region inhabited by the Croatans is a low woodland, swampy region, locally known as pocoson land, abounding in whortleberries and blackberries, which bring some revenue to the people. The existence of a peculiar people, claiming Indian ancestry and nominally distinct from negroes and whites, has not prevented such admixture as to confuse every inquirer who has undertaken to solve their relations and the numbers of those rightfully claiming any defined racial distinctions, but it has made certain districts a refuge for men of all races who preferred the half wild life of the woods to regular labor, or who preferred the bullet to the slow forms of law to settle difficulties. In past years some of the most noted disturbances in the State seem due to a desperado whose racial connections are not clearly known, who married among the Croatans, and who was finally brought to justice only when the governor called out the militia. No such disturbance has occurred in recent years.

EXHIBIT B.

Exhibit B1.

PETITION OF CROATAN INDIANS.

STATE OF NORTH CAROLINA,
County of Robeson.

To the honorable the Congress of the United States:

The undersigned, your petitioners, a part of the Croatan Indians, living in the county and State aforesaid, their residence for a hundred years or more, respectfully petition your honorable body for such aid as you may see fit to extend to them, the amount to be appropriated to be used for the sole and exclusive purpose of assisting your petitioners and other Croatans in said county and State to educate their children and fit them for the duties of American citizenship.

Your petitioners would show that there are in said county, of legal school age, of the Croatan race, eleven hundred and sixty-five (1,165 in December, 1887) children. That the Croatans in said county and State are industrious citizens, engaged for the most part in agricultural pursuits, and are unable to give to their children the benefits of proper educational training, and would, as aforesaid, most respectfully petition your honorable body to assist them.

Your petitioners are a remnant of White's lost colony and during the long years that have passed since the disappearance of said colony have been struggling unaided and alone to fit themselves and their children for the exalted privileges and duties of American freemen, and now for the first time ask your honorable body to come to their assistance.

And your petitioners as in duty bound, etc.

James Oxendine, Ashbury Oxendine, Zackriors Oxendine, J. J. Oxendine, Billey Locklear, Malakiah Locklear, Preston Locklear, John Ballard, Crolly Locklear, G. W. Locklear, Patrick Locklear, Luther Deas, Marcus Dial, Joseph Locklear, Alex Locklear, Frank Locklear, W. W. Locklear, J. E. Lovit, Beni Locklear, John Locklear, Joseph Locklear, jr., Soleomon Oxendine, A. J. Lowrie, John A. Locklear, Soleomon Locklear, Anguish A. Locklear, Silas Deas, Olline Oxendine, Isad Braboy, James Lowrie, John A. Lockler, Marcus Dial, Josep Lockler, Eliach Lockler, Frank Locklar, W. W. Lockler, J. E. Lovet, Buey Lockler, John Lockler, Jorge Brayboy, Pink Lockler, John E. Oxendine, William Sampson, Steven Carter, Evert Sampson, Wues Sampson, John Sampson, Rober Carter, Quin Gordan, Jordan Oxendine, James R. Sanderson, Pester Dyall, Willey Jacobs, Murdock Chavons.

Your petitioners above named respectfully ask that if your honorable body admits an educational aid that it be so appropriated for the trustees of the normal school in said county to use so much thereof as may be necessary to complete the normal-school building, and that the residue be applied for the purpose of training teachers among the Croatan race who may attend said school.

Exhibit B2.

OFFICE LETTER TO HON. J. W. POWELL, JANUARY 7, 1889.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 7, 1889.

Hon. J. W. POWELL,
Director Bureau of Ethnology, City.

DEAR SIR: I have the honor to inclose herewith copy of a communication signed with 54 names of persons who claim to be "Croatan Indians" and descendants of "White's lost colony," in Robeson County, N. C.

There is no record in this office of any such Indians or any such a colony, and I can find no reference to them in any history at my command.

Can you kindly furnish me with any information on the subject and much oblige,

Yours, respectfully,

JNO. H. OBERLY, *Commissioner.*

Exhibit B3.

LETTER OF J. W. POWELL TO INDIAN OFFICE, JANUARY 11, 1889.

SMITHSONIAN INSTITUTION,
BUREAU OF ETHNOLOGY,
Washington, D. C., January 11, 1889.

Hon. JOHN H. OBERLY,
Commissioner of Indian Affairs.

SIR: In reply to your letter of the 7th instant with inclosure requesting information in regard to the Croatan Indians, I beg leave to say that Croatan was in 1585 and thereabouts the name of an island and Indian village just north of Cape Hatteras, N. C. White's colony of 120 men and women was landed on Roanoke Island just to the north in 1587, and in 1590, when White returned to revisit the colony, he found no trace of it on Roanoke Island save the name "Croatoan," carved upon a tree, which, according to a previous understanding, was interpreted to mean that the colonists had left Roanoke Island for Croatan. No actual trace of the missing colonists was ever found, but more than 100 years afterwards Lawson obtained traditional information from the Hatteras Indians which led him to believe that the colonists had been incorporated with the Indians. It was thought that traces of white blood could be discovered among the Indians, some among them having gray eyes. It is probable

that the greater number of the colonists were killed; but it was quite in keeping with Indian usages that a greater or less number, especially women and children, should have been made captive and subsequently incorporated into the tribe. The best authority to be consulted with regard to the above colony is Hawks' History of North Carolina, Fayetteville, N. C., 1859, Volume I, pages 211, 225, 228. The book may be obtained from the Congressional Library. Bancroft (History of U. S., Vol. I, p. 77, treated at great length in his early edition) and other authors mention the main facts, but their accounts rest upon Hawks'. It is understood that Mr. Hamilton McMillan, of Fayetteville, N. C., will soon publish a book attempting to show that Raleigh's colony was carried off by the Indians and that their descendants are now living in Robeson County, N. C.

I am, yours, with respect,

J. W. POWELL, *Director.*

Exhibit B4.

OFFICE LETTER TO HAMILTON McMILLAN, JANUARY 29, 1889.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 29, 1889.

HAMILTON MCMILLAN, Esq.,
Fayetteville, N. C.

SIR: I have received a petition from parties in Robeson County, N. C., in which the claim is made that they are "Croatan" Indians, descendants of "White's lost colony," and asking Government aid for the education of their children, numbering about 1,100.

I am informed that you are familiar with the history of these people, and if so, I will thank you for any information you will furnish me. Are they citizens of the United States, and are they entitled to the educational advantages furnished by the State of North Carolina?

Please answer at your earliest convenience and oblige,

Yours, respectfully,

JNO. H. OBERLY, *Commissioner.*

Exhibit B5.

LETTER OF W. L. MOORE TO INDIAN OFFICE, JULY 2, 1890.

OSBORNE, N. C., *July 2, 1890.*

Mr. T. W. BELT, *Washington, D. C.*

DEAR SIR: Answering your letter of 7th ultimo will say that the people in whose behalf we wrote are not the Eastern Cherokees, but the Croatan Indians. Therefore they receive nothing appropriated for the Cherokees. The people for which I am officially interested have as a general thing grown up without so much as the rudiments of education, yet the youth who have had (to some degree) better opportunities for educating themselves show that the moral, intellectual, and social aptitudes in them are real. Can not something be

that the greater number of the colonists were killed; but it was quite in keeping with Indian usages that a greater or less number, especially women and children, should have been made captive and subsequently incorporated into the tribe. The best authority to be consulted with regard to the above colony is Hawks' History of North Carolina, Fayetteville, N. C., 1859, Volume I, pages 211, 225, 228. The book may be obtained from the Congressional Library. Bancroft (History of U. S., Vol. I, p. 77, treated at great length in his early edition) and other authors mention the main facts, but their accounts rest upon Hawks'. It is understood that Mr. Hamilton McMillan, of Fayetteville, N. C., will soon publish a book attempting to show that Raleigh's colony was carried off by the Indians and that their descendants are now living in Robeson County, N. C.

I am, yours, with respect,

J. W. POWELL, *Director.*

Exhibit B4.

OFFICE LETTER TO HAMILTON McMILLAN, JANUARY 29, 1889.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 29, 1889.

HAMILTON McMILLAN, Esq.,
Fayetteville, N. C.

SIR: I have received a petition from parties in Robeson County, N. C., in which the claim is made that they are "Croatan" Indians, descendants of "White's lost colony," and asking Government aid for the education of their children, numbering about 1,100.

I am informed that you are familiar with the history of these people, and if so, I will thank you for any information you will furnish me. Are they citizens of the United States, and are they entitled to the educational advantages furnished by the State of North Carolina?

Please answer at your earliest convenience and oblige,

Yours, respectfully,

JNO. H. OBERLY, *Commissioner.*

Exhibit B5.

LETTER OF W. L. MOORE TO INDIAN OFFICE, JULY 2, 1890.

OSBORNE, N. C., *July 2, 1890.*

MR. T. W. BELT, *Washington, D. C.*

DEAR SIR: Answering your letter of 7th ultimo will say that the people in whose behalf we wrote are not the Eastern Cherokees, but the Croatan Indians. Therefore they receive nothing appropriated for the Cherokees. The people for which I am officially interested have as a general thing grown up without so much as the rudiments of education, yet the youth who have had (to some degree) better opportunities for educating themselves show that the moral, intel-

obtained to assist them in a normal school for them? If so, please direct me how to proceed.

There are 1,100 children between the ages of 6 and 21 years who need continual instruction.

Please reply at the earliest convenience.

Very respectfully,

W. L. MOORE.

Exhibit B6.

OFFICE LETTER TO HAMILTON McMILLAN, JULY 14, 1890.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 14, 1890.

HAMILTON McMILLAN, *Fayetteville, N. C.*

SIR: On the 29th of January, 1889, a report from the Bureau of Ethnology in regard to the Croatan Indians was mailed to you with the request that information be forwarded to this office in regard to these people. Inclosed find copy of the letter. No communication has been received from you in response to the office letter mentioned. The subject is again brought to the attention of the Indian Office by Mr. W. L. Moore, of Osborne, N. C., in a letter dated July 2, copy of which is also inclosed herewith.

I trust that you will promptly respond to this communication and return the document mailed to you January 29 with such information as you can give.

Very respectfully,

T. J. MORGAN, *Commissioner.*

Exhibit B7.

LETTER OF HAMILTON McMILLAN TO INDIAN OFFICE, JULY 17, 1890.

RED SPRINGS, N. C., *July 17, 1890.*

T. J. MORGAN, Esq.,
Commissioner of Indian Affairs, Washington.

MY DEAR SIR: Your letter of July 14 ultimo just to hand. The communication and report from the Bureau of Ethnology to which you refer were never received, and your letter just received conveys the first intimation of their having been sent. Had they been received I would have responded with pleasure.

I inclose to you to-day a copy of a pamphlet containing much of interest in this connection. The pamphlet was written very hastily nearly two years ago in order to give the North Carolina Legislature some information, as the Croatans were asking some legislation in their behalf.

The Croatan Tribe lives principally in Robeson County, N. C., though there are quite a number of them settled in counties adjoining in North and South Carolina. In Sumter County, S. C., there is a branch of the tribe and also in East Tennessee. In Lincoln County, N. C., there is another branch, settled there long ago. Those living in East Tennessee are called "Melungeans," a name also retained

by them here, which is a corruption of *Melange*, a name given them by early settlers (French), which means *mixed*. The pamphlet sent you will outline their history as far as it can be discovered from their traditions. In regard to their *exodus from Roanoke Island* their traditions are confirmed by maps recently discovered in Europe by Prof. Alexander Brown, member of the Royal Historical Society of England. These maps are dated in 1608 and 1610, and give the reports of the Croatans to Raleigh's ships, which visited our coast in those years. These maps will be lithographed and published in a book, now being prepared by Prof. Brown. The particulars of the exodus preserved by tradition here are strangely and strongly corroborated by these maps. There can be little doubt of the fact that the Croatans in Robeson County and elsewhere are the descendants of the Croatans of Raleigh's day. In 1885 I got the North Carolina Legislature to recognize them as Croatans and give them separate public schools. In 1887 I got $500 a year from the State for a normal school for them for two years. In 1889 the appropriation was extended two years longer.

Their normal school needs help—at least $500 more is needed. The appropriation to the public schools amounts to less than a dollar a head per annum.

If you can aid them in the way desired we would be glad. They are citizens of the United States and entitled to the educational privileges enjoyed by other citizens, but those advanatges are not much.

Respectfully,

HAMILTON MCMILLAN.

Exhibit BB.

OFFICE LETTER TO W. L. MOORE, AUGUST 11, 1890.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 11, 1890.

W. L. MOORE, *Osborne, N. C.*

SIR: Referring to your letter of July 2 and office response thereto of the 16th, I have received a communication from Hamilton McMillan, of Red Springs, N. C., setting forth the situation of the Croatan Indians very fully. It appears from his statement that this band is recognized by the State of North Carolina, has been admitted to citizenship, and the State has undertaken the work of their education.

While I regret exceedingly that the provisions made by the State of North Carolina seem to be entirely inadequate, I find it quite impracticable to render any assistance at this time. The Government is responsible for the education of something like 36,000 Indian children and has provisions for lese than half this number. So long as the immediate wards of the Government are so insufficiently provided for, I do not see how I can consistently render any assistance to the Croatans or any other civilized tribes.

I am obliged to you for calling my attention to the matter, and have been very much interested in the information furnished by Mr. McMillan regarding this very interesting tribe.

Very respectfully,

T. J. MORGAN, *Commissioner.*

EXHIBIT C.

SIR WALTER RALEIGH'S LOST COLONY.

[By Hamilton McMillan.]

AN HISTORICAL SKETCH OF THE ATTEMPTS OF SIR WALTER RALEIGH TO ESTABLISH A COLONY IN VIRGINIA, WITH THE TRADITIONS OF AN INDIAN TRIBE IN NORTH CAROLINA, INDICATING THE FATE OF THE COLONY OF ENGLISHMEN LEFT ON ROANOKE ISLAND IN 1587.

CHAPTER I.

In 1583, "Elizabeth, by the Grace of God, of England, France, and Ireland, Queen, defender of the faith," granted to Sir Walter Raleigh, his heirs and assigns forever, letters patent "to discover, search, find, and view such remote heathen and barbarous lands, countries, and territories, not actually possessed of any Christian Prince, nor inhabited by Christian people, as to him, his heirs and assigns, to every or any of them shall seem good, and the same to have, hold, and occupy and enjoy, to him, his heirs, and assigns forever."

It was provided further that a settlement should be made in the territory granted within six years next succeeding the date of the letters patent.

This grant was made during one of the most critical periods of British history. The Protestant Elizabeth had espoused the cause of the Netherlands and had given high offense to Spain by rejecting the proposed matrimonial alliance with Philip, the reigning monarch of that country. The Armada, consisting of 140 ships of war and carrying fully 30,000 men, threatened an early attack upon England. Powerful allies stood ready to assist King Philip. The length of time necessary to complete this powerful armament had afforded to Elizabeth opportunity to prepare for the impending danger. Sir Walter Raleigh then enjoyed high favor at court. The Queen early discovered his soldierly qualities and intellectual ability, and in addition to high rank which she bestowed upon him, readily granted him and his heirs extensive territory in North America. Raleigh was one of the most skillful generals of his times, and while actively engaged in the preparation for the threatened invasion of England, found opportunity to fit out an expedition to the coast of America to make discoveries and to locate a colony in compliance with the terms of his grant. The commanders of the expedition were Philip Amadas and Arthur Barlowe, who sailed with two barks from the coast of England on the 15th day of April, 1584, O. S., and reached the coast of America in July of the same year. They sailed along the coast for 120 miles before they found any entrance or river issuing into the sea. These navigators probably entered at Hatteras Inlet, on the coast of what is now North Carolina, and having anchored "within the

haven's mouth on the left hand of the same," they went in boats "to view the land adjoining and to take possession of the same in right of the Queen's most excellent majesty as rightful Queen and Princess of the same." The land thus taken into possession was Roanoke Island, about 7 leagues distant from the anchorage.

After a stay of nearly two months, the expedition returned to England, carrying two of the natives, Manteo and Wanchese. The disposition of the natives toward the Englishmen was friendly, and though no reason is given for carrying the two Indians to England, it was probably understood that a second expedition would soon follow, and that they could return to their own country at an early day. There was good policy in impressing them, as prominent men of their own land, with the greatness of England. Manteo and Wanchese returned in another expedition to Roanoke, the former to become Lord of Roanoke, the latter to become the determined enemy of the English.

A second expedition, under Sir Richard Greenville, the cousin of Sir Walter Raleigh, sailed from England on the 9th of April, 1585. This expedition consisted of seven vessels, and arrived at Roanoke during the following July. In August following Sir Richard Greenville returned to England, after leaving a colony on Roanoke Island under Master Ralf Lane.

Lane explored the surrounding country, making many valuable discoveries, and finally, despairing of aid expected, embarked, with his entire colony, on the fleet of Sir Francis Drake, which stopped at Roanoke, and sailed for England.

The departure of Lane's colony left no Englishmen on the shores of North America.

Chapter II.

In less than one month from the departure of Lane Sir Richard Greenville arrived at Roanoke with supplies, and after a fruitless search for the colonists, he left 15 men on the island to hold possession of the country. After the departure of Greenville these men were seen no more by Englishmen.

Not discouraged by repeated failures, Sir Walter Raleigh fitted out another expedition under John White as governor, who, with others of the colonists, were incorporated as "The Governor and Assistants of the City of Raleigh in Virginia." The city of Raleigh was designed to be built on the shores of Chesapeake Bay.

Gov. White was instructed to call at Roanoke Island to ascertain the fate of the 15 men left there by Sir Richard Greenville. The commanders of the ships seemed to have been independent of the authority of Gov. White, and fully aware that a voyage to Chesapeake Bay would delay their expected cruise in the West Indies, refused to transport the colony to its destination, and thus compelled Gov. White to stop at Roanoke Island. The vessels departed soon after in search of Spanish prizes.

After reciting many incidents, Gov. White relates that "on the 13th of August, our savage Manteo, by the commandment of Sir Walter Raleigh, was christened in Roanoke and called Lord thereof, and of Dasamonguepeuk, in reward of his faithful service." "The 18th, Eleanor, daughter of Gov. White and wife to Ananias Dare, one of the colonists, was delivered of a daughter in Roanoke, and the

same was christened there the Sunday following, and because this child was the first Christian born in Virginia, she was named Virginia."

Gov. White relates that a violent tempest arose on the 21st of August, which lasted for six days and threatened the destruction of one of the vessels then ready to sail for England. Gov. White was sent back to England by the planters, to act there as factor for the colony.

The Croatan Indians, who visited Roanoke Island, invited the colonists to reside with them, and the latter, prior to the departure of the governor, expressed to him their intention to accept the invitation and to remove 50 miles "up into the main." It was understood that if they went to Croatoan they were to carve the word *Croatoan* on the bark of a tree in some conspicuous place, that the governor might know where to find them on his return. It was further understood that if they left the island in distress they were to carve the Christian cross above the word Croatoan.

On the 27th of August, White sailed for England, and the colonists were seen no more by white men.

Chapter III.

On his arrival in England, Gov. White found all things in commotion. The long-threatened storm of war had burst upon England, and the services of Sir Walter Raleigh and others who were interested in the distant colony were enlisted in the national defense. It was a critical period of British history. Queen Elizabeth relied upon the skill of Raleigh, under whose guidance the Armada was defeated, and "liberty of person and liberty of conscience were once more free."

On the 22d of April, 1588, Gov. White, by aid of Sir Walter Raleigh, sailed from England with two barques to visit the colony at Roanoke. These vessels, disabled in fighting ships encountered during the voyage, were compelled to return to England. No further attempt to reach the colony was made till the 20th of March, 1590, when White again sailed for Virginia with three vessels. Nearly six months passed before the vessels reached Roanoke in the following August:

In his account of this voyage, as published by Hakluyt, Gov. White says that—

> on the 15th of August, towards evening, we came to anchor at Hattorask in 36½°, in five fathome water three leagues from the shore. At our first coming to anchor on this shore we saw a great smoke rise in the Isle Roanoke, near the place where I left our colony in the year 1587, which smoke put us in good hope that some of the colony were there expecting our return out of England. The 16th and next morning our two boats went ashore, and Captain Cooke and Captain Spicer and their company with me, with intent to pass to the place at Roanoke where our countrymen were left. At our putting from the ship we commanded our master gunner to make ready two minions and a falcon, well loaded, and to shoot them off with reasonable space between every shot, to the end that their reports might be heard to the place where we hoped to find some of our people.

Omitting some unimportant details, we extract from White's narrative the following:

> Our boats and all things filled again, we put off from Hattorask, being the number of nineteen persons in both boats; but before we could get to the place where our planters were left it was so exceeding dark that we overshot the place a quarter of a mile, when we espied towards the north end of the island (Roanoke) the light of a

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great fire through the woods, to which we presently rowed. When we came right over against it, we let fall our grapnel near the shore and sounded with a trumpet a call, and afterwards many familiar tunes and songs and called to them friendly; but we had no answer; we therefore landed at daybreak, and coming to the fire we found the grass and sundry rotten trees burning about the place. From hence we went through the woods to that part of the island directly over against Dasamonguepeuk, and from thence we returned by the water side round about the north point of the island until we came to the place where I left our colony in the year 1587. In all this way we saw in the sand the print of the savage's feet of two or three sorts trodden in the night, and as we entered up the sandy bank, upon a tree in the very brow thereof, were curiously carved these fair Roman letters, C. R. O., which letters presently we knew to signify the place where I should find the planters seated, *according to a secret token agreed upon between them and me at my last departure from them*, which was that in any way they should not fail to write or carve, on the trees or posts of the doors, the name of the place where they should be seated; for at my coming away they were prepared to remove from Roanoke fifty miles into the main. Therefore at my departure from them in Aug., 1587, I willed them that if they should happen to be distressed in any of those places that they should carve over the letters or name a cross † in this form, but we found no such sign of distress. And having well considered of this we passed through the place where they were left in sundry houses, but we found the houses taken down and the place very strongly enclosed with a high palisade of great trees with curtains and flankers, very fortlike, and one of the chief trees or posts at the right side of the entrance had the bark taken off, and five feet from the ground, in fair capital letters, was graven "Croatoan," *without any cross or sign of distress*. This done, we entered into the palisado, where we found many bars of iron, two pigs of lead, four iron fowlers, iron locker, shot, and such like heavy things thrown here and there almost overgrown with grass and weeds. * * * But although it grieved me much to see such spoil of my goods, yet on the other side I greatly joyed that I had safely found a certain token of their being *at Croatoan*, which is the place where Manteo was born, *and the savages of the island our friends*.

Foul weather compelled Gov. White to return to the fleet, and on the following day with a favorable wind they prepared *to sail* to Croatan, but owing to the loss of all their anchors save one and the approaching foul weather it was determined to sail to St. John or some other island southward for fresh water, and after obtaining victuals and necessaries in the West Indies and spending the winter there to return in the spring to seek the colonists at Croatan. One of the vessels being in a leaky condition was compelled to sail for England. The other vessels after cruising for a while in search of Spanish prizes finally sailed for England and arrived at Plymouth on the 24th day of October, 1590.

From the story of Gov. White it is evident that Croatoan was situated southward from Roanoke Island and upon the coast, for the voyagers attempted to sail to it upon the open sea. It is probable that the *island* mentioned was one of the long islands curtaining the coast and embraced within the present county of Carteret. It is so located on one of the oldest maps, bearing date of 1666. On a map published by order of the Lords Proprietors in 1671 the peninsula embracing the present county of Dare is called Croatan. Lawson's map of the year 1709 also locates Croatan in the same region. The sound immediately west of Roanoke Island still bears the name of Croatan. The name of the island belonging to the tribe was probably Croatoan, while the name of the tribe inhabiting it may have been Croatan. The name Croatan was given to the tribe by the English from the name of a locality within their territory. That part of their territory lying west of Roanoke Island was called Dasamonguepeuk by some of the natives. Manteo, by order of Sir Walter Raleigh, was made "Lord of Roanoke and Dasamonguepeuk," the first instance of a title of nobility being conferred on an American.

There can be little doubt that the territory now embraced within the counties of Hyde, Tyrrell, and Dare was claimed and occupied by the friendly tribe of Manteo at one time, and was designated as Croatan, and at another time occupied by a different tribe of hostile Indians, who called it Dasamonguepeuk. Croatoan, the principal seat of Manteo and his tribe, lay to the southward. The name carved upon the tree according to a secret understanding between Gov. White and the planters prior to the departure of the former, was Croatoan, and was understood by him to mean an island southward from Roanoke, "for there," he relates, "Manteo was born and the savages *of the island* our friends."

For nearly 300 years after the departure of White no trace of the lost colony had been discovered, with the exception of the following related by Lawson, an early historian, who wrote in 1714: "The Hatteras Indians who lived on Roanoke Island, *or much frequented it*, tell us that several of their ancestors were white people and could talk in a book, as we do; the truth of which is confirmed by gray eyes being frequently found amongst these Indians, and no others. They value themselves extremely for their affinity to the English, and are ready to do them all friendly offices."

Purchas tells us that several subsequent voyages were made at the expense of Sir Walter Raleigh, to discover his lost countrymen, but without success. Commanders of ships in those days were more anxious to capture Spanish vessels than to find lost Englishmen, and it is doubtful if a single ship touched at Croatan or Roanoke to make inquiries after the departure of White in 1590.

Chapter IV.

Who were the Croatans? The term Croatan or Croatoan was applied by the English to the friendly tribe of Manteo whose chief abode was on an island on the coast southward from Roanoke. The name Croatan seems to indicate a locality in the territory claimed by Manteo and his tribe. Dr. Hawks speaks of this tribe as Hatteras Indians, and from an incident to be related hereafter this title seems to have been recognized by these Indians. From the first appearance of Amadas and Barlowe to the departure of Gov. White, in 1587 relations of the most friendly character are known to have existed between this tribe and the English colonists. Their chief, Manteo, in reward of his faithful services to the English, was, by command of Sir Walter Raleigh, baptized as a member of the Church of England and was made Lord of Roanoke and of Dasamonguepeuk. For reasons given in the succeeding pages we believe the term Roanoke, then applied to the island, was afterwards given to a large extent of territory contiguous to Pamlico Sound, in fact to all the territory claimed by Manteo. The tribes at that early day seemed to have had no settled boundaries to the territories claimed by them and occupied the land adjacent to their principal seats, alternately with other tribes, as hunting grounds.

The history of this tribe, as connected with the early attempts to colonize our eastern coast, is of peculiar interest and is worthy of extended notice.

Harriot, who accompanied Lane's expedition to Virginia, in describing the Indians on our coast, says:

> They are a people clothed with loose mantles made of deerskins and aprons of the same around their middles, all else naked, of such a difference of stature as we of England, having no edge tools or weapons of iron or steel to offend us withal, neither know they how to make any. * * * The language of every government is different from any other, and the farther they are distant, the greater is the difference. * * * They believe that there are many gods, which they call Mantoac, but of different sorts and degrees, one only chief and great God which has been from all eternity. * * * They also believe the immortality of the soul, that after this life as soon as the soul is departed from the body according to the works it has done, it is either carried to heaven, the habitable of the gods, there to enjoy perpetual bliss and happiness, or else to a great pit or hole, which they think to be in the farther part of the world toward the sunset, there to burn continually, the place they call Popogusso.

In reading this account of the religion of the natives we conclude that at some period they had communication with more civilized races from the East who impressed upon them some idea of faith more exalted than that common among savages. Some may be ready to accept the absurdities of monkish fancy and readily believe them to be descendants of the "lost tribes" who had retained something of ancient Jewish faith. The difference in color, language, and other characteristics renders it difficult to accept such a theory. The knowledge of this western land is as old as the time of Plato and Solon, who mention an island in the West called Atlantis "and a great continent which lay beyond it." The Persians established a colony in the West Indies a thousand years ago, which, by "abstaining from all admixture with the black aborigines, differs but little from their progenitors in the parent country." The Welsh colonized the Carolina coast in the twelfth century. In 1660 Rev. Morgan Jones, in traveling in the Tuscarora country, was captured by the Doegs, a branch of that tribe who spoke Welsh. He describes them as settled upon Pontigo River near Cape Atross. This statement seems to confirm the Welsh chronicle which describes Madoc's colony. Long before the discovery of Columbus the Basques sent fishing vessels to the northern part of America. The Norse records describe voyages to the American coast, reciting facts and dates which are confirmed by Irish and Arabic chronicles, and also by the inscription on Womans Island on our northern coast bearing date of April 25, 1135. If we discredit the accounts of these early voyages we may discredit anything of ancient date recorded in history. The Sanscrit root syllable *ap* and the Latin root *ak*, both meaning water, are detected in the names of scores of rivers and bays on our Atlantic coast facing Europe, where vessels driven by the northeast trade winds, would probably reach our shores.

We cite these facts in support of the theory that colonies were in past times located on our coast and in course of time were neglected and forgotten by the parent countries and became absorbed by native tribes. If this theory is accepted it will account for traditions of wrecked vessels prevalent among the Indians described by Hariot, as well as for their religious notions so far above those commonly found among savages. Prescott, as quoted by Dr. Hawks, in speaking of the Indians found on the Atlantic coast of North America, says:

> They had attained to the sublime conception of one Great Spirit, the creator of the universe, who, immaterial in his own nature, was not to be dishonored by an attempt at visible representation, and who, pervading all space, was not to be circumscribed

What may have been the origin of the tribe, known to us through the English colonists as Croatan, can only be a matter of conjecture. They had traditions of vessels wrecked in past times, and they affirmed that iron implements found among them were obtained from such wrecks. Children with auburn hair and blue eyes were noticed among them, which impressed the belief that they had had communication with white people. From the appearance of Amidas and Barlowe in 1584 to the departure of Gov. White in 1587, their demeanor toward the whites was friendly. The treatment received by Manteo during his visit to England may have enhanced the good feeling toward the English. What became of them?

Chapter V.

After the departure of Gov. White from the coast of Virginia in 1590 five expeditions were fitted out at the expense of Sir Walter Raleigh for the relief of his distressed countrymen at Roanoke. These expeditions returned with no tidings of the planters and it became the settled conviction of those interested in the colony that it perished from starvation or savage cruelty.

After the settlement at Jamestown in 1607, Capt. John Smith sent a hardy woodsman to the Chowanoke Indians, who lived near the head of Albemarle Sound, under the pretense of sending presents to their king, but his object was to make inquiries concerning the Roanoke colony. Capt. Smith sent two other men to the Mangoaks, on the river Nottoway, but they returned as the other had done, without any information except that the white people were all dead. (Vide Williamson's His. of N. C., vol. 1, p. 73.)

It is evident from the story of Gov. White, as given on a preceding page, that the colonists went southward along the coast to Croatoan Island, now a part of Carteret County, in North Carolina, and distant about 100 miles in a direct line from Albemarle Sound. The Mangoacks were seated northwest from Albemarle and it is not surprising that the messengers returned without definite information. The statement of Lawson as to the tradition of the Hatteras Indians may throw some light on the fate of the English colonists, but it is a matter of surprise to us at this time that a *historian* would not pursue the investigation of that tradition far enough to ascertain who those ancestors were who could "talk in a book." Europeans had been upon the coast even before the arrival of Amidas and Barlowe in 1584. Persons were noticed among the natives *with auburn and chestnut colored hair*, and traditions existed concerning wrecked vessels. Iron implements were found among the Croatan Indians made of spikes and nails obtained from a wreck on their coast, which occurred about 20 years before the arrival of the English colony. A previous wreck in 1558 was mentioned; some of the crew were saved and were supposed to have been lost in their attempt to leave in the frail boats of the natives. Lawson wrote in 1714, 127 years after the colonists were last seen on Roanoke Island. Sixty-nine years after the settlement on that island and sixty years before the event related by Lawson, Roanoke was visited by an Englishman, Francis Yeardly, who, in a letter to John Farrar, Esq.,

dated May 8, 1654, relates a visit made to Roanoke Island by himself and others—

where or thereabouts they found the great commander of these parts with his Indians abunting, who received them civilly, and showed the ruins of Sir Walter Raleigh's fort, from which I received a sure token of their being there. After some days spent to and fro in the country, the young man, the interpreter, prevailed with the great man and his war captains to come in and make peace with the English, which they willingly condescended unto. (Vide Hawks, His. N. C., vol. 2, p. 17.)

So that at that early day the island was occupied by Indians who knew nothing of the lost Englishmen and who pointed out Raleigh's fort as an object of curiosity, without any tradition as to the fate of those who built it.

Rev. Mr. Blair, who was a missionary to the settlements on Pamlico Sound, after describing the difficulties of his situation, writes to his patron, Lord Weymouth, as follows:

I think it likewise reasonable to give you an account of a great nation of Indians, who live in that government, computed to be no less than 100,000, many of which live among the English, and all, as far as I can understand, a very civilized people.

This letter was written in 1703. Mr. Blair speaks of a desert of 50 miles in extent to be crossed in reaching the place. At the time in which he writes the descendants of the missing colonists must have held only a tradition respecting the events attending the attempt at colonization on Roanoke Island. The number mentioned by Mr. Blair is evidently an exaggeration and the location of the tribe is indefinite. There is reason to believe that descendants of the colonists were living in a region of country southwest of Pamlico at the time in which he writes and that they emigrated westward toward the interior, where a large body of Croatan Indians and descendants of the lost colonists had previously located. It is probable that the civilized Indians mentioned were a portion of the Croatan tribe, as there was no other tribe to which the reference could apply. At that early day very little was known of the region to southwest of Pamlico Sound, and the missionary may have traveled 100 miles in reaching the place of his labor, which seemed to be at a great distance from other precincts visited by him.

At the time in which he writes (1703) there were no settlements of white men known to exist beyond the region around Pamlico Sound. Subsequent to that date white emigrants penetrated the wilderness, and in 1729 there was a settlement made on Hearts Creek, a tributary of the Cape Fear, and near the site of the present town of Fayetteville. Scotchmen arrived in what is now Richmond County in North Carolina as early as 1730. French Huguenots in large numbers emigrated to South Carolina after the revocation of the Edict of Nantes, and some of them had penetrated as far north as the present northern boundary of that State in the early part of the eighteenth century.

At the coming of white settlers there was found located on the waters of Lumber River a large tribe of Indians, *speaking English*, tilling the soil, owning slaves, and practicing many of the arts of civilized life. They occupied the country as far west as the Pee Dee, but their principal seat was on the Lumber, extending along that river for 20 miles. They held their lands in common, and land titles only became known on the approach of white men. The first grant of land to any of this tribe of which there is written evidence in

existence was made by King George II in 1732 to *Henry Berry* and *James Lowrie*, two leading men of the tribe, and was located on the Lowrie Swamp, east of Lumber River in present county of Robeson, in North Carolina. A subsequent grant was made to James Lowrie in 1738. According to tradition, there were deeds of land of older date, described as "White" deeds and "Smith" deeds, but no trace of their existence can be found at this date.

Many of these people at a later period purchased their lands from persons who obtained large patents from the king.

Occasional bands of immigrants arrived on the Lumber River from ancient settlements toward the east, while others moved west toward the Pee Dee, Catawba and French Broad Rivers. These people were hospitable, and friendly relations were established between them and their white neighbors. Subsequent to the coming of white settlers a portion of the tribe went north toward the Great Lakes and some of their descendants can be found at this time in Canada, west of Lake Ontario. Another emigration occurred at a later date and the emigrants became incorporated with a tribe then located near Lake Michigan. Many families, described as white people, emigrated toward the Allegheny Mountains and there are many families in western North Carolina at this time, who are claimed by the tribe in Robeson County, as descendants of the lost English colonists, who had preserved their purity of blood to that degree that they could not be distinguished from white people. These Indians built great roads connecting the distant settlements with their principal seat on the Lumbee, as the Lumber River was then called. One of the great roads constructed by them can be traced from a point on Lumber River for 20 miles to an old settlement near the mouth of Hearts Creek, now Cross Creek. Another great highway still bearing the name of the "Lowrie Road" and used at this day as a public road, extends from the town of Fayetteville, through Cumberland and Robeson Counties, in a southwest direction toward an ancient Croatan settlement on the Pee Dee.

James Lowrie, previously mentioned as one of the grantees in the deed made by George the Second, and recognized as a chief man of his tribe, is described as an Indian who married Priscilla Berry, a sister of Henry Berry, the other grantee mentioned. James Lowrie was a descendant of James Lowrie, of Chesapeake, who married a Croatan woman *in Virginia* (as eastern North Carolina is still designated by the tribe) and became the progenitor of all the Lowries belonging to this tribe. According to the prevalent tradition respecting this family, the men were intellectual and ambitious, and, as a chronicler of the tribe described them, became "leaders among men." Many persons distinguished in the annals of North Carolina are claimed as descended from the original James Lowrie, of Chesapeake. "You will find the name of James Lowrie," remarked the chronicler, "wherever you find a Lowrie family."

Henry Berry, the grantee previously mentioned, was a lineal descendant of the English colonist, Henry Berry, who was left on Roanoke Island in 1587. (See list of names of lost colony.)

Many of this tribe served in the Continental Army during the Revolutionary War and enjoyed pensions within the memory of persons yet living. A considerable number served during the War

burnt lake or lake caused by water filling a hole burnt in the ground. We are indebted for this tradition to an aged gentleman of Robeson County who was familiar with the traditions of the tribe from about 1820 to 1824. He mentioned several persons who represented that they were descended from Mattamuskeet Indians who were taken prisoners, in the war between the Whites and Tuscaroras, by the tribe on the Lumber River. These Mattamuskeets could locate the dwelling places of their ancestors who lived in what is now Hyde County, in the vicinity of Mattamuskeet Lake. In our investigations we could find no tradition respecting these persons. The names given by our informant have all disappeared. Large numbers have emigrated since the beginning of the present century. Within half a century about 40 familes left the county of Robeson from about Plainview and went to the Northwest. "Traditions are fading fast," our informant remarked, "as far back as 1820 their traditions were more vivid than now and were familiar to old and young. Now, you will find their ancient traditions confined to comparatively a few old persons."

Pungo Lake is known among them as Mattapungo. They have no tradition as to any river named Roanoke. This name is invariably applied by them to the territory previously described as occupied by their tribe on the eastern coast. Hawks, as previously mentioned, speaks of the tribe in 1587 as Hatteras Indians. When the act of the North Carolina General Assembly was read to them, recognizing them as Croatans, an intelligent Indian remarked that he had always heard that they were called Hattoras Indians. The line of emigration extended westward from what is now Carteret County, and can be traced according to tradition as far west as the French Broad, in Buncombe County. Tradition respecting localities occupied by the tribe at the time of the absorption of the English colony is vague, but definite enough to establish the belief that their territory once embraced portions, at least, of the present counties of Carteret, Jones, and Craven. It is not at all probable that any of the English colonists left by Gov. White ever lived west of the county of Jones. The settlement on the Lumber River in Robeson County was made during the seventeenth century, possibly as early as 1650. The revocation of the Edict of Nantes occurred in 1685, and thousands of French Huguenots, driven to exile, found refuge in South Carolina. As early as 1709, a colony of these exiles located in the eastern part of North Carolina. Some of these Huguenots penetrated the interior as far as the Lumber River in the early part of the last century, and found the country north and east of them thickly populated by Indians who had farms and roads and other evidences of civilized life, and had evidently resided there for a considerable time before the approach of white men.

Settlements were made toward the Pee Dee and at points beyond that river after their location on the Lumber.

The language spoken is almost pure Anglo Saxon, a fact which we think affords corroborative evidence of their relation to the lost colony of White. Mon (Saxon) is used for man, father is pronounced faythe, and a tradition is usually begun as follows:

"Mon, my *faythe* told me that *his* faythe told him," etc. Mension is used for measurement, aks for ask, hit for it, hosen for hose, lovend for loving, housen for houses. They seem to have but two sounds for the letter a, one like short o. Many of the words in common use among them have long been obsolete in English-speaking countries.

They are a proud race, boasting alike of their English and Indian blood, hospitable to strangers, and ever ready to do friendly offices for white people.

They are peaceable in disposition, but when aroused by repeated injury they will fight desperately. The great mass shun notoriety and carefully avoid places where crowds of other races assemble. They generally live retired from public highways and seem to show Indian characteristics more strongly than in former times. There are sixteen churches owned by them in Robeson County, divided among Baptist and Methodist denominations. Their schoolhouses, built entirely by private means, are all framed buildings and provided far better than those of the colored race.

They are great road makers, like their ancestors. The best public roads in North Carolina are found among this tribe.

There has been no census taken separately from the other races, but the number in Robeson County is fully 2,500, and, considering the settlements in other counties, the total is not less than 5,000. The enrollment of Croatan children in Robeson County between the ages of six and twenty-one years, in accordance with an act of the general assembly passed in 1885, shows about eleven hundred entitled to the benefit of public instruction, provided separately for the race.

By an act of the general assembly passed in 1887 a normal school for teachers of the Croatan race was established, and the sum of $500 is annually appropriated for two years by the State for its support.

According to the law of North Carolina, all marriages between a white person and a negro or Indian, or between a white person and a person of negro or Indian descent to the third generation, inclusive, are null and void, but there was no inhibition of marriage between an Indian and a negro till the general assembly of 1887 amended the law by declaring all marriages between Croatan Indians and negroes or persons of negro descent to the third generation, inclusive, null and void.

CHAPTER VII.

In investigating the traditions prevalent among this singular people we found many family names identical with those of the lost colony of 1587. For the information of the reader we give a list of the names of all the men, women, and children of Raleigh's colony, which arrived in Virginia and remained to inhabit there. This list is found in first volume of Hawks' History of North Carolina and copied from Hakluyt, Volume III, page 280.

of 1812, some of whom received pensions within the recollection of the writer. From the close of the Revolution to the year 1835 they exercised the elective franchise equally with white men, performed militia duties, encouraged schools and built churches, owned slaves, and lived in comfortable circumstances. By an ordinance of the North Carolina State convention of 1835, the elective franchise was denied to all "free persons of color." To effect a political purpose, it was contended that these citizens were "free persons of color," and afterwards they were debarred from voting till the year 1868, when a new constitution was adopted. After the adoption of the new State constitution, they were allowed the benefit of public schools, but having been classed for a long period as "free persons of color," they were compelled to patronize schools provided for the negro race. Owing to a bitter prejudice against negroes, but few availed themselves of the privilege, the greater part preferring that their children should grow up in ignorance, rather than that they should be forced to association with a race which they hold in utter contempt. Separate schools have since been provided for their race by the Legislature of North Carolina, which, by special act, recognized them as Croatan Indians.

Chapter VI.

During the late war between the States an incident occurred which caused the writer to investigate the traditions of this tribe. Three young men of the Lowrie family were drafted, according to military law, to work on the fortifications at Fort Fisher, in eastern North Carolina, and while on the road to the nearest depot in Robeson County they were killed, it is supposed, by a white man who had them in custody. An inquest was held, and at its conclusion, an old Indian named George Lowrie addressed the people assembled in substance as follows:

> We have always been the friends of white men. We were a free people long before the white men came to our land. Our tribe was always free. They lived in Roanoke in Virginia. When the English came to Roanoke, our tribe treated them kindly. One of our tribe went to England in an English ship and saw that great country. When English people landed in Roanoke we were friendly, for our tribe was always friendly to white men. We took the English to live with us. There is the white man's blood in these veins as well as that of the Indian. In order to be great like the English, we took the white man's language and religion, for our people were told they would prosper if they would take white men's laws. In the wars between white men and Indians we always fought on the side of white men. We moved to this land and fought for liberty for white men, yet white men have treated us as negroes. Here are our young men shot down by a white man and we get no justice, and that in a land where our people were always free.

The incident above related occurred in the latter part of 1864, and owing to the troubled state of the country at that time and for several years afterwards, no investigation could be made till the year 1875, when the writer became a citizen and had opportunity of interviewing leading persons of the tribe.

After the year 1835 these Indians, who murmured greatly at the injustice done them in being classed as "mulattoes" or "free persons of color," became suspicious of white men, and at first we found difficulty in eliciting any facts relating to their past history. After years of patient investigation, gathering here and there, we present the following summary of traditions prevalent among them:

The tribe once lived in Roanoke in Virginia, as they persist in calling eastern North Carolina. The name Roanoke is applied to the country around Pamlico Sound, embracing Hyde, Tyrell, and Dare Counties on the north, with the series of islands as far south as Carteret County and embracing that county with Craven and Jones. Croatoan or Croatan was a locality far to the south, off the coast of Carteret, and was the principal seat of the tribe. Their leading man was made Lord of Roanoke. The name *Manteo* they do not recognize, but are familiar with *Mayno*, a name very common among them and representing a very quiet, law-abiding people.

At an early period after the English colony became incorporated with the tribe, they began to emigrate westward. The first settlement made was probably in what is now Sampson County on several small rivers, tributary to Black River. A portion located on the Cape Fear, near a place now bearing the name of "Indian Wells" and at Hearts Creek in Cumberland County, now Fayetteville. It is impossible to ascertain at what date the tribe located in Robeson, but it is probable that they have resided there for 200 years. According to their universal tradition they were located there long before the troubles with the Tuscaroras began in 1711. Some of the tribe fought under "Bonnul" as they term Col. Barnwell, and we have reliable evidence that they brought home a few Mattamuskeet Indians as prisoners and slaves. The descendants of these Mattamuskeets had their traditions also. The name Dare was not recognized by them in our first investigations but we afterwards discovered that they pronounce the name variously as *Darr*, *Durr*, and *Dorr*. This discovery was made when we related to an old chronicler of the tribe the story of Virginia Dare, the first white child born on American soil. This name Dorr or Durr has disappeared on the Lumber River since the war of 1812. The name Dorr appears on the muster roll of a company composed in part of Indians from Robeson County which served during that war, in the United States Army.

Several chroniclers, or old persons who keep the traditions of the tribe, have informed us that there are families bearing the name of Dorr or Durr, to be found in western North Carolina who are claimed by the tribe as descended from the English colonists of Roanoke. These chroniclers affirm that the Dares, Coopers, Harvies, and others retained their purity of blood and were generally the pioneers in emigration. Many names are corrupted, so that it is difficult to trace their history. The name *Goins* was originally O'Guin, as appears from ancient court records. The name Lumber, as applied to the river, was originally Lumbee or Lombee. The name Manteo is not familiar to them. While they have a tradition of their leader or chief who went to England, yet they have preserved no name for him. The nearest approach to the name Manteo, is Maino or Mainor. An old woman, whom we interviewed, spoke of their great man as *Wonoke*. This name may be a corruption of Roanoke, for we must remember Manteo was made Lord of Roanoke. Mattamuskeet Lake, according to a tradition preserved by these Indians, was a

ANNO REGNI REGINÆ ELIZABETHÆ 29.

John White.	John *Jones.*	Robert *Wilkinson.*
Roger *Baily.*	John *Brooks.*	John Tydway.
Ananias *Dare.*	Cutbert *White.*	Ambrose *Viccars.*
Christopher *Cooper.*	John Bright.	Edmund English.
Thomas *Stevens.*	Clement *Tayler.*	Thomas Topan.
John Sampson.	William Sole.	*Henry Berry.*
Dionys *Harvie.*	John Cotsmuir.	Richard *Berry.*
Roger Prat.	Humphrey Newton.	John Spendlove.
George *Howe.*	Thomas *Colman.*	John Hemmington.
Simon Fernando.	Thomas *Graeme,* or	Thomas *Butler.*
Nicholas *Johnson.*	Graham, Graeme.	Edward Powell.
Thomas Warner.	Mark *Bennet.*	John Burdon.
Anthony *Cage.*	John Gibbes.	James Hynde.
William *Willes.*	John Stilman.	Thomas Ellis.
William *Brown.*	John Earnest.	John *Wright.*
Michael Myllet.	Henry *Johnson.*	William Dutton.
Thomas *Smith.*	John Starte.	Maurice *Allen.*
Richard Kemme.	Richard Darige.	William Waters.
Thomas *Harris.*	William *Lucas.*	Richard Arthur.
Richard Taverner.	Arnold Archard.	John *Chapman.*
William Clement.	William Nicholls.	James *Lasie.*
Robert *Little.*	Thomas Phevens.	John *Cheven.*
Hugh *Tayler.*	John Borden.	Thomas Hewett.
William Berde.	Charles Florrie.	George *Martin.*
Richard Wildye.	Henry Mylton.	Hugh *Pattenson.*
Lewes Wotton.	Henry *Paine.*	Martin Sutton.
Michael Bishop.	Thomas *Harris.*	John Farre.
Henry *Browne.*	Thomas *Scot.*	John *Bridger.*
Henry Rufotte.	Peter *Little.*	Griffin *Jones.*
Richard Tomkins.	John Wyles.	Richard Shabedge.
Henry Dorrell.	Bryan Wyles.	

WOMEN.

Eleanor *Dare.*	Elizabeth Glane.	Margaret Lawrence.
Margery *Harvie.*	Jane *Pierce.*	Joan Warren.
Agnes *Wood.*	Andry Tappan.	Jane Mannering.
Winnifred *Powell.*	Alice *Charman.*	Rose *Payne.*
Joyce Archard.	Emma Merimoth.	Elizabeth *Viccars.*
Jane *Jones.*	—— Colman.	

BOYS AND CHILDREN.

John Sampson.	Thomas Archard.	*George Howe.*
Robert Ellis.	Thomas Humphrey.	John Prat.
Ambrose *Viccas.*	Thomas Smart.	William Wythers.

CHILDREN BORN IN VIRGINIA.

Virginia Dare.	—— Harvie.

Manteo and Towaye, or Wanchese, that were in England, returned to Virginia with the colony.

Gov. John White, at the solicitation of the colonists, returned to England. Simon Fernando, the Spanish pilot of the expedition, also returned. George Howe, one of the "Assistants" of Gov. White, was killed by the Indians on Roanoke Island soon after the arrival. Omitting the name of the perfidious Fernando, we have 120 persons in all, including men, women, and children, and about 90 family names, represented in the colony.

The names in the foregoing list in italics are those which are found at this time among the Indians residing in Robeson County and in other counties of North Carolina. The traditions of every family bearing the name of one of the lost colonists point to Roanoke as the country of their ancestors.

If we accept their traditions they held communication with the eastern coast long after their exodus, and it is not improbable that it was a party of this tribe which Lawson describes in 1714 as visiting their old hunting grounds and who described their ancestors as people who "could talk in a book."[1]

As to the intellectual character of this singular people but little can be written, as public schools were unknown prior to 1835 and such education as they obtained up to that date was limited to a knowledge of reading and writing and the fundamental rules of arithmetic. Hundreds have grown up to manhood and womanhood in perfect ignorance of books. By nature they are quick-witted, and, judging by the few examples of educated ones, they are equal to the whites in mental capacity. Ex-United States Senator Revels, of Mississippi, belongs to this tribe. He was born in Robeson County and emigrated to the northwest, where he was educated and subsequently resided in Mississippi.

The action of the North Carolina Legislature in establishing separate schools for this race and in recognizing them as the descendants of the friendly Croatans known to the early colonists is one great step toward their moral and intellectual elevation. They are almost universally landholders and occupy a territory in the county of Robeson of about 60,000 acres, adapted to the growth of corn, cotton, and tobacco.

CHAPTER VIII.

It has long been a settled conviction that the lost colonists perished from starvation or savage cruelty.

This conviction has arisen from the fact that they were seen no more by white men.

The particulars given by Gov. White of the understanding which existed between him and the colonists prior to his departure for England in 1587, and his finding the word "Croatoan" on a tree, in a conspicuous place, on his return in 1590, seem to prove conclusively that the English had accepted the invitation of Manteo's tribe and had gone to Croatan Island. The fact that they were seen no more by white men does not prove that they perished. The same fact exists in regard to the Croatans and the same argument would prove their destruction also.

[1] Lawson's History was first published in 1708.

We must remember that the region embracing Croatan Island and the adjacent mainland was unexplored for a long period after the attempt at settlement on Roanoke Island. The history of those times shows that in 1609[1] the northeast corner of North Carolina was settled by a colony from Virginia.

In 1654, sixty-seven years after the English colonists were last seen on Roanoke, Virginia adventurers had explored as far south as the Pamlico and Neuse Rivers. In 1656[2] a settlement was made on Albemarle Sound. A colony from Massachusetts was located on the Cape Fear in 1660 and was soon abandoned. Sir John Yeamans' colony landed on the same river in 1664. In 1690 a French colony from Virginia settled on Pamlico Sound, and in 1698 emigrants from Albemarle also located in that region.

We have cited these facts to show how little was known from 1587 to 1690 of the region where tradition says the Croatans were settled.

In 1690, the date of the settlement of the French on Pamlico, all the English colonists must have been dead, and the sad story was held only in tradition, and it may be that the Croatans who were then remaining in that region, on the approach of the new colony, removed farther into the interior, where portions of that tribe had previously located.

As previously intimated, the traditions of the Indians now living in Robeson are sufficiently clear to prove that at an early period they located south of Pamlico Sound on the mainland. Tradition in regard to their ancient dwelling places on the tributaries of Black River in the present county of Sampson are more definite. The fact that French, English, Irish, and perhaps German names are found among them is accounted for by the tradition that marriages frequently occurred between them and the early immigrants. The name Chavis which is common among this people, is probably a corruption of the French name Cheves. Goins was O'Guin, as court records prove. Leary was O'Leary. Blanc or Blanx is French. Braboy is of recent origin and was originally "Brave Boy" and dates back to the war with the Tuscaroras in 1711 and was conferred on an Indian by the commander of the English for some meritorious act.

From the earliest settlement of the country along the Lumber River these Indians have been an English-speaking people. Their language has many peculiarities and reminds one of the English spoken in the days of Chaucer. The number of old English words in common use among them which have long been obsolete in English-speaking countries is corroborative of the truth of their tradition that they are the descendants of the lost Englishmen of Roanoke.

In traveling on foot they march in "Indian file" and exhibit a fondness for bright red colors. They unconsciously betray many other traits characteristic of Indians. The custom of raising patches of tobacco for their own use has been handed down from time immemorial.

In building they exhibit no little architectural skill. In road making they excel. Some of the best roads in North Carolina can be found within their territory. They are universally hospitable and polite to strangers. They are proud of their race and boast of their English ancestry. Like their ancestors, they are friendly to white men.

Their traditions are generally preserved by the old members of the tribe, but the tradition is universal among them from infancy to old age that their ancestors came from "Roanoke in Virginia." By Virginia they mean eastern North Carolina, and the term "Roanoke" means the territory occupied by the tribe in the vicinity of Pamlico Sound. In religious matters they are Baptists and Methodists. The latter belong to what is called the Indian Mission, which is of recent origin.

"They never forget a kindness, an injury, nor a debt," said an old citizen. * * * "They may not pay you when a debt is due, but they seldom forget an obligation and are sure to pay you after a time."

In common with all Indians they have a great respect for the Quakers and look upon them as the true friends of the Indian. In the olden time they had houses of entertainment for travelers.

The number of family names to be found among them identical with those of the colonists of Roanoke is further corroborative of their traditional descent.

The line of emigration from their original seat on the coast was westward and can be traced as far west as the French Broad, in Buncombe County. Though many families of this tribe emigrated from the Lumber River a long while ago, yet the locations of many of them have been located in western North Carolina with unerring certainty.

The writer has been much interested in investigating the traditions prevalent among the Croatans and expresses his firm conviction that they are descended from the friendly tribe found on our eastern coast in 1587 and also descended from the lost colonists of Roanoke who were amalgamated with this tribe.

Through many centuries of time there comes down to us the sad story of the lost legions of Varus. The mystery that so long hung over the fate of those legions was solved by Drusus, who found the bleaching bones of his countrymen in a German forest near the Baltic Sea.

The fate of the lost colonists of Roanoke, we submit, is revealed in the foregoing pages.

To the charitable who are interested in the moral elevation of humanity we heartily commend the Croatans.

EXHIBIT CC.

THE LOST COLONY OF ROANOKE: ITS FATE AND SURVIVAL.[1]

[By Stephen B. Weeks.]

* * * * * * *

The disappearance of the settlers of 1587 has been called the tragedy of American colonization. The greatest interest was manifested in their fate by all the early explorers. Numerous expeditions were sent in search of them. These brought back various rumors, but nothing certain could be learned. Their history became interwoven with legend and romance; but after a lapse of three hundred years they emerge again from the darkness and dust of oblivion.

It is now believed that the colonists of 1587 removed to Croatan soon after the return of Governor White to England; that they intermarried with the Croatan or Hatteras Indians; that their wanderings westward can be definitely traced; and that their descendants can be identified to-day.

It is to a discussion of the movements of the colonists after the departure of White, and to the identification of their descendants, that the remaining pages of this paper will be directed.

There can be no doubt that the colonists removed to Croatan. When White left them, "they were prepared to remove from Roanoak, fifty miles into the main." He agreed with them that they should carve in some conspicuous place the name of the section to which they went and if they went in distress a sign of the cross was to be carved above. The name Croatan was found, but there was no sign of distress. The colonists must have gone on the invitation of Manteo and his friends, and the fact that their chests and other heavy articles were buried indicates that it was their intention to revisit the island of Roanoke at some future time, and that it was then in the possession of hostile savages. These articles consisted largely of arms and other instruments of war. This indicates that they went into the land of friends and that that their new home was not far distant, otherwise they would have taken all their property with them rather than endure the fatigue of a second long journey to Roanoke for it. The question arises then, Where was Croatan? On the location of this place the future of the colony depended. Croatan, or more properly Croatoan, is an Indian word, and was applied by the Hatteras Indians to the place of their residence. Here Manteo was born, and here his relatives were living when he first met the English; the latter soon began to apply the name to the Indians themselves. The island of Roanoke was not at that time regularly inhabited, but was used as a hunting

[1] Reprinted from Papers American Historical Association, 1891, V, pp. 469–477.
The late Dr. William T. Harris, when United States Commissioner of Education, took much interest in this theory of survival. He once expressed in the presence of this writer the belief that it was the greatest historical discovery of the nineteenth century.—S. B. W.

ground by the tribe to which Manteo belonged, and also by their enemies who lived on the main and were the subjects of Wingina.

The name Croatan first appears in the account of Grenville's voyage of 1585. It is there made an island; Lane says that it was an island; and White also bears witness to this, for he says, when describing his discovery of the deserted and dismantled fort: "I greatly joyed that I had found a certain token of their safe being at Croatoan, which is the place where Manteo was born and the savages of the island our friends." On White's map of the coast it is put down as an island. From these facts it is perfectly clear that the adventurers believed Croatan to be an island. The map of 1666 and the Nuremburg map make it a part of the banks lying between Cape Hatteras and Cape Lookout, perhaps what is now known as Core Banks, and consequently an island; but later maps have located Croatan on the mainland, just opposite Roanoke Island, in the present counties of Dare, Tyrrell, and Hyde. It is marked thus on Ogilby's map, published by the Lords Proprietors in 1671, on Morden's map of 1687, and on Lawson's map, published in 1709. A part of this region is still known as Croatan, while the sound between this section and Roanoke Island bears the name of Croatan. On the Nuremburg map and on the map of 1666 this peninsula is called Dasamonguepeuk. Now we know that in 1587 Manteo was baptized as Lord of Roanoke and Dasamonguepeuk. This title clearly indicates that the Hatteras tribe, to which Manteo belonged, laid claims to the peninsula. They doubtless made use of it for the cultivation of corn, as well as for hunting and fishing, while their principal seat was some eighty miles to the south on the island of Croatan. The English colonists have left us unimpeachable testimony that they removed from Roanoke Island to Croatan. The Croatan of the early explorers and maps was a long, narrow, storm-beaten sandbank, incapable in itself of supporting savage life, much less the lives of men and women living in the agricultural stage. It is not reasonable to suppose that the colonists would have gone from a fertile soil to a sterile one. It is probable, then, that in accordance with an understanding between each other, the Hatteras Indians having abandoned their residence on Croatan Island, and the English colonists having given up their settlements on Roanoke Island, both settled on the fertile peninsula of Dasamonguepeuk, which the Hatteras tribe had already claimed and partly occupied, but which they had not been able to defend against enemies. The name of their former place of residence followed the tribe, was applied to their new home, and thus got into the later maps. If this theory is accepted, it is easy to see how the Hatteras tribe may have come into communication with kindred tribes on the Chowan and Roanoke rivers, to which they seem to have gone at a later period. This is one end of the chain of evidence in this history of survivals.

The other end of the chain is to be found in a tribe of Indians now living in Robeson County and the adjacent sections of North Carolina, and recognized officially by the State in 1885 as Croatan Indians. These Indians are believed to be the lineal descendants of the colonists left by John White on Roanoke Island in 1587. The migrations of the Croatan tribe from former homes farther to the east can be traced by their tradition. It is pretty clear that the tribe removed to their present home from former settlements on Black River, in

Sampson County. The time of their removal is uncertain; but all traditions point to a time anterior to the Tuscarora war in 1711, and it is probable that they were fixed in their present homes as early as 1650.[1] During the eighteenth century they occupied the country as far west as the Pee Dee, but their principal seats were on Lumber River, in Robeson County, and extended along it for twenty miles. They held their lands in common, and titles became known only on the approach of white men. The first known grant made to any member of this tribe is located on the Lowrie Swamp east of Lumber River, and was made by George II in 1732 to Henry Berry and James Lowrie.[2] Another grant was made to James Lowrie in 1738. Traditions point to still older deeds that are not known to now exist. The tribe has never ceased to be migratory in its disposition. For many years after the main body had settled in Robeson, scattered detachments would join them from their old homes farther to the east, while parts would remove farther toward the west. They are now to be found all over western North Carolina, and many families there who have retained their purity of blood to such a degree that they can not be distinguished from white people are claimed by the tribe in Robeson. After the coming of the white people a part of the tribe removed to the region of the Great Lakes, and their descendants are still living in Canada, west of Lake Ontario. At a later period another company went to the Northwest and became incorporated with a tribe near Lake Michigan. Some time before the war a party drifted to Ohio; one of them, Lewis Sheridan Leary, was in John Brown's party when he invaded Harper's Ferry in 1859, and was killed there October 17, 1859, while guarding John Brown's "fort."[3] In 1890 a party removed to Kansas.

The Croatans fought under Colonel Barnwell against the Tuscaroras in 1711, and the tribe of to-day speak with pride of the stand taken by their ancestors under "Bunnul" for the cause of the whites.[4] In this war they took some of the Mattamuskeet Indians prisoners and made them slaves. Many of the Croatans were in the Continental Army; in the War of 1812 a company was mustered into the Army of the United States, and members of the tribe received pensions for these services within the memory of the present generation; they also fought in the armies of the Confederate States. Politically they have had little chance for development. From 1783 to 1835 they had the

[1] McMillan: Sir Walter Raleigh's Lost Colony, p. 20.

[2] *Ibid.*, p. 14. The deeds for these grants are still extant and are in the possession of Hon. D. P. McEachin, of Robeson County, North Carolina.

[3] The late Mr. John S. Leary wrote the author from Fayetteville, N. C., under date of July 22, 1891:

"I do not know as to whether any considerable number of the 'Croatans' emigrated from the State at any time in a body. Quite a number who were connected with the Croatans in Robeson County left the State at different times. Senator Hiram R. Revels, his brothers, Willis S. & Absalom, and two sisters, sons of the Grandmas, Learys, and Dials; I do not know the exact number. My father's mother was a Revels, born in Robeson County, was 3d cousin to Hiram. She married an Irishman named O'Leary. Father was born in Sampson County, on the Big Cohaire, his parents having moved to that county. In 1808 they came to Fayetteville, where father lived until he died, in 1880. Father came from the 'Croatan stock.' My mother was born in France, and was brought to this country by her parents in 1812. Father & mother were married in 1825. In 1857 my father sent my brother, Lewis Sheridan Leary, to Oberlin, Ohio. While there he formed an acquaintance with John Brown and went with him to Harper's Ferry in October, 1859. He was killed on the 17th day of October, 1859, while guarding what is now known as 'John Brown's Fort.' I saw this fort for the first time in 1880. It is a small brick house. I have a grand uncle, my father's mother's brother, living now in the Croatan settlement in Robeson County, 108 years old. As soon as I can make it convenient to see him I will have a talk with him and put on paper whatever information I can get from him and give you the benefit of it."

[4] The traditions of the tribe that they fought in the Tuscarora war are verified by the Colonial Records of North Carolina. In vol. ii., p. 129, we find an entry: "Whereas, report has been made to this board that the Hatteras Indyans have lately made their escape from the enemy Indyans," i. e., Tuscaroras. Again, on p. 171, we find: "Upon petition of the Hatteras Indyans praying some small relief from the country for their services," etc.

right to vote, performed military duties, encouraged schools, and built churches; but by the constituent convention of 1835 the franchise was denied to all "free persons of color," and to effect a political purpose it was contended by both parties that the Croatans came under this catagory. The convention of 1868 removed this ban; but as they had long been classed as mulattoes they were obliged to patronize the negro schools. This they refused to do as a rule, preferring that their children should grow up in ignorance, for they hold the negro in utmost contempt,[1] and no greater insult can be given a Croatan than to call him "a nigger."

Finally, in 1885, through the efforts of Mr. Hamilton McMillan, who has lived near them and knows their history, justice long delayed was granted them by the General Assembly of North Carolina. They were officially recognized as Croatan Indians;[2] separate schools were provided for them and intermarriage with negroes was forbidden. Since this action on the part of the State they have become better citizens.[3]

They are almost universally landowners, occupying about sixty thousand acres in Robeson County. They are industrious and frugal, and anxious to improve their condition. No two families occupy the same house, but each has its own establishment.

They are found of all colors from black to white, and in some cases can not be distinguished from white people. They have the prominent cheek bones, the steel-gray eyes, the straight black hair of the Indian.[4] Those showing the Indian features most prominently have no beards; those in whom the white element predominates have beards. Their women are frequently beautiful; their movements are graceful, their dresses becoming, their figures superb.

In religious inclinations they are Methodists and Baptists, and own sixteen churches. The State has provided them a normal school for the training of teachers, and this action will go very far toward their mental and moral elevation. Their schoolhouses have been built entirely by private means; they are all frame buildings, and are furnished far better than those for the negro race. Their school enrollment in Robeson County is 422, according to the report of the eleventh census, and they employ eighteen teachers. Their entire school population, from six to twenty-one years, will probably amount to eleven hundred. Their whole population in this county is about twenty-five hundred, and their connections in other counties will perhaps swell this number to five thousand. They are quick-witted, and are capable of development. Mr. John S. Leary, a prominent politician of Raleigh, and professor of law in Shaw University, was a member of the tribe, and one of their number has reached the Senate of the United States, for Hon. Hiram R. Revels, who was born in

[1] McMillan, Sir Walter Raleigh's Lost Colony, 14-18.

[2] It has been suggested that the name "Croatan" was invented to strengthen the theory of their origin as here presented, but this is not the case. As we have seen, Croatan was the name of a locality and not of a tribe. The tribal name was Hattoras or Hatorask, or, as we now spell it, Hatteras. Lawson calls the Indians by this name. Dr. Hawks remarks on the error of the explorers in calling them Croatans; and when the act of the North Carolina Assembly recognizing them as Croatans was read to them, an intelligent Indian remarked that he had always heard that they were called "Hatteras" Indians.—McMillan, p. 30.

[3] It is said by Mr. McMillan, that after the North Carolina act of 1887 went into effect the Croatans came near filling Lumberton jail with violators of law, the prosecutors in nearly all cases being Croatans.

[4] A recent traveller among the Croatans writes of one of them: "Where in my life had I seen a handsomer man? The face was pure Greek in profile, the eyes *steel blue*, the figure of perfect mould, and the man as easily graceful in his attitude as any gentleman in a drawing-room. I sat in my buggy talking with this man for an hour, finding him far above ordinary intelligence and full of information." That night the traveller learned that the handsome Croatan was a brother of the famous Henry Berry Lowrie.

Fayetteville, North Carolina, in 1822, and who was senator from Mississippi in 1870–71, is not a negro, but a Croatan Indian.[1]

This is the other end of the chain. To connect the two parts and show that the Croatan Indians of to-day are the descendants of the Hatteras Indians of 1587 and of the English colony left on Roanoke Island by John White in that year, we must examine, first, the evidence of historians and explorers on the subject; and, second, the traditions, character, and disposition, language, and family names of the Croatan Indians themselves.

We hear no more of the colonists left on Roanoke Island from the departure of White in 1591 until the settlement at Jamestown. We then have four sources of information in regard to them. The first of these is John Smith's "True Relation," first published in 1608. The second is a rude map of the coast of Virginia and North Carolina, which had probably been sent to England by Capt. Francis Nelson in June, 1608. It was intended to illustrate Smith's "True Relation," was not drawn from surveys, nor is it based on any accurate knowledge of the coast, nor had the maker seen the map of the coast made by John White. It was drawn presumably to illustrate a story told by the Indians, and based on the information derived from them. It was sent in September, 1608, by Zuñiga, the Spanish minister in London, to his master, Philip III, and is now first published in Mr. Alexander Brown's "Genesis of the United States." The third source is a pamphlet called "A True and Sincere Discourse of the Purpose and Ende of the *Plantation* begun in *Virginia*," published in 1610. The fourth is Strachey's "History of Travaile into Virginia Britannia," published by the Hakluyt Society in 1849. Strachey came to Virginia as early as 1610, and became secretary of the council. His history is put by Mr. R. H. Major, his editor, between 1612 and 1616.

Captain Smith says in his "True Relation" that Opechancanough, one of the Indian kings, informed him "of certaine men cloathed at a place called Ocanahonan, cloathed like me." "The people cloathed at Ocamahowan, he also confirmed." Again: "We had agreed with the king of Paspahegh to conduct two of our men to a place called Panawicke, beyond Roonok, where he reported many men to be apparelled."[2]

The map illustrating this "Relation" shows three rivers which are probably intended to represent the Roanoke, the Tar, and the Neuse. On the south side of the Roanoke is a place called Ocanahowan. On the upper waters of the Neuse is Pakrakanick, and near it the legend "Here remayneth 4 men clothed that came from Roonock to Ochanahowan." The peninsula known to the explorers of 1585 as

[1] At one time the Croatans were known as "Redbones," and there is a street in Fayetteville so called because some of them once lived on it. They are known by this name in Sumpter County, S. C., where they are quiet and peaceable, and have a church of their own. They are proud and high-spirited, and caste is very strong among them.

There is in Hancock County, Tennessee, a tribe of people known by the local name of Mahungeons or Mahnpeons. Some say they are a branch of the Croatan tribe, others that they are of Portuguese stock. They differ radically, however, in manners and customs from the accounts which we have received of the Croatans (cf. 2 article in *The Arena* for 1891, by Miss Will Allen Dromgoole). Mr. McMillan favors the view that they are a part of the colony of Roanoke, and on this question Mr. John M. Bishop, a native of East Tennessee, now living in Washington, writes to the author: "My theory is that they are a part of the lost colony of Roanoke. Your utterances at the recent meeting in this city on the subject of the Lost Colony of Roanoke [meeting of Amer. Hist. Assn., Dec. 31, 1890] were so nearly in line with my ideas in this matter that I now write to call your attention to the subject. . . . You will mark the fact that the Mahungeons are located on Newman's Ridge and Black Water Creek in Hancock County, Tenn., directly in the path of ancient westward emigration. Dan Boon tramped all over this immediate section. . . . The Mahungeons, drifting with the tide of early emigration, stranded on the borderland of the wilderness and remained there."

[2] Smith's Works, Arber's edition, 1884, pp. 17–22. See map on p. 53.

Dasamonguepeuk is called Pananiock, and the legend placed there says: "Here the king of Paspahege reported our men to be & wants to go." At a point on the James the map says: "Here Paspehege and 2 of our men landed to go to Panaweock." This expedition set out in January or February, 1608, and failed because the Indian king played the villain.

The managers of the Virginia Company in their "True and Sincere Declaration," referring to the Roanoke colony, say: "if with these [evils] we compare the advantages which we have gotten . . . in the *intelligence* of some of our nation planted by *Sir Walter Raleigh*, yet a live, within fifty mile of our fort, who can open the womb and bowels of this country; as is testified by two of our colony sent out to seek them, who (though denied by the savages speech with them) found *crosses* and *Letters* the *Characters* and assured Testimonies of *Christians* newly cut in the barks of trees."[1]

Strachey says: At Peccarecamek and Ochanahoen . . . the people have houses built with stone walls, and one story above another, so taught them by those English who escaped the slaughter at Roanoak, at what time this our colony, under the conduct of Captain Newport, landed within the Chesapeake Bay." Powhatan had been instigated to this massacre by his priests. Seven persons escaped, four men, two boys, and a young maid. These fled up the Chowan River and were preserved at Ritanoe by a chief named Eyanoco, and, in return for protection, began to teach the savages the arts of civilized life.[2]

We are to remember always that the reports of Indians are vague and indefinite. This is to be expected of an uneducated people, but while varying in detail the substance may be depended on as essentially true. The vagueness in these cases is further increased by the fact that the English knew little from actual exploration of the regions involved. We are safe then in identifying: (1) Smith's Panawicke with the Pananiock and the Panaweock of the map. This is the name given to the territory known to the earlier explorers as Dasamonguepeuk. (2) The Ochanahonan and Ocamahowan of Smith and the Ocanahowan of the map are identical with Strachey's Ochanahoen. (3) The Pakrakanick of the map is identical with Strachey's Peccarecamek.

Taking these sources of information together and identifying the localities as we have done, it seems reasonable to conclude: (1) That about 1607 the colonists left on Roanoke Island in 1587, now intermixed with the Croatan Indians, were on the peninsula of Dasamonguepeuk and that fresh traces of them were seen about this time by explorers sent out from Jamestown. (2) That they heard of the arrival of Captain Newport in Chesapeake Bay, and that some of them made an effort to reach the colony at Jamestown. It is not necessary to suppose that there was a general migration of the whole Croatan tribe toward the Chowan. We may conclude that most of the original colonists who were then alive and some of the half-breeds undertook the journey. They were met with hostility by the emis-

[1] Brown, Genesis of the United States, 1, 348.

[2] Strachey, pp. 50, 185. The expression used by Strachey with reference to the colony on page 152, where he says it will be related "in due place to this decade," indicates that he had some additional information in regard to their fate, but it was not given.

saries of Powhatan and some were slain.[1] (3) That others were protected and saved by a chief named Eyanoco, who was probably connected in some way with the Croatan tribe, for we must remember that when Lane was exploring these regions in 1586 he found Indians whose language Manteo could understand without an interpreter. (4) That according to the map they traveled from the region of the Chowan and Roanoke Rivers to the country known on it as Packrakanick and to Strachey as Peccarecamek. This was probably on the upper waters of the Neuse, in what may now be Wayne and Lenoir Counties. It is probable that they were rejoined by those who had not undertaken the expedition toward Virginia, and from this point they could have passed easily into Sampson and Robeson Counties in conformity with their traditions, as related by Mr. McMillan.

Smith's "Relation," the map, and Strachey all tend to strengthen and explain the testimony of the next historical reference we have to the tribe. This is by John Lederer, a German, who made some explorations in eastern North Carolina, perhaps in the region south of the Roanoke River, in 1669–70. He mentions a powerful nation of bearded men two and one-half days' journey to the southwest, "which I suppose to be the Spaniards, because the Indians never have any" [beards].[2] Dr. Hawks thinks that these "bearded men" may have been the settlers on the Cape Fear, but we know that this colony was disbanded in 1667. We have no records of any Spanish settlements as far north as this: and according to Mr. McMillan (p. 20), the mongrel tribe now known as Croatan Indians were occupying their present homes as early as 1650. The statement of Lederer can only refer to the Croatan tribe.

The next account we have of them is in 1704, when Rev. John Blair, then traveling as a missionary through the Albemarle settlements, tells of a powerful tribe of Indians living to the south of what is now Albemarle Sound, "computed to be no less than 100,000, many of which live amongst the English, and all, as I can understand, a very civilized people."[3] This account is very vague and indefinite, and the numbers are largely overestimated; but it can refer to no other tribe than the Croatans. They were then living southwest of Pamlico Sound and they alone had had civilized influences to bear upon them.

The next reference to the tribe is more definite. John Lawson, the first historian of North Carolina, explored all the region southwest of Pamlico Sound. He was thoroughly acquainted with the Indians in those sections. In writing of the Roanoke settlements he says: "A farther confirmation of this [the settlements of Raleigh] we have from the Hatteras (Croatan) Indians, who lived on Ronoack Island, or much frequented it. These tell us that several of their ancestors were white people and could talk in a book as we do; the truth of which is confirmed by gray eyes being frequently found amongst these Indians and no others. They value themselves extremely for their

[1] Purchas says Powhatan confessed to Smith that he had been present at the slaughter of the English. But this account did not seem satisfactory to Smith, for he says in his condemnation of White's narrative for his General History of Virginia: "And thus we left seeking our colony, that was never any of them found or seen to this day, 1622." This shows that Strachey's account was not known in 1608, when Smith had given up the search and returned to England.—Arber's edition, 1884, p. 321.
[2] Hawks, History of North Carolina, ii, 50.
[3] Colonial Records of North Carolina, i, 603.

affinity to the English, and are ready to do them all friendly offices. It is probable that this settlement miscarried for want of timely supplies from England; or through the treachery of the natives, for we may reasonably suppose that the English were forced to cohabit with them for relief and conservation; and that in process of time they conformed themselves to the manners of their Indian relations; and thus we see how apt human nature is to degenerate."[1] Lawson wrote these words not later than 1709, as his book was first published in that year. It is impossible for the story told by him to be a tradition not founded on the truth, for he wrote within one hundred and twenty years of the original settlements at Roanoke, and he may have talked with men whose grandfathers had been among the original colonists.

The next witnesses in this chain of evidence are the early settlers in the Cape Fear section of North Carolina. Scotch settlements were made in Fayetteville as early as 1715.[2] In 1730 Scotchmen began to arrive in what is now Richmond County, and French Huguenots were at the same time pressing up from South Carolina. The universal tradition among the descendants of these settlers is that their ancestors found a large tribe of Indians located on Lumber River, in Robeson County, who were tilling the soil, owning slaves, and speaking English. The descendants of *this* tribe are known to be the Croatan Indians of to-day.

We see, then, that the historical arguments which tend to identify the Croatans of to-day as the descendants of the colonists of 1587 possess an historical continuity from 1591 to the present time. There is also a threefold internal argument based (1) on the traditions of the Croatan Indians of to-day; (2) from their character and disposition; (3) from their forms of language and family names.

I. *Traditions.*—The Croatan Indians believe themselves to be the descendants of the colonists of 1587, and boast of their mixed English and Indian blood. They always refer to eastern North Carolina as Virginia, and say their former home was in Roanoke, in Virginia, which means the present counties of Dare, Tyrrell, Hyde, Craven, Carteret, and Jones, and of this residence their traditions are sufficiently clear. They say that they held communication with the east long after their removal toward the west, and one of these parties may have met Lawson about 1709. They know that one of their leaders was made Lord of Roanoke and went to England, but his name has been lost, the nearest approach to it being in the forms Maino and Mainor. They have a word "mayno," which means a very quiet, law-abiding people; and this, by a kind of metonomy, may be a survival of Manteo. When an old chronicler was told the story of Virginia Dare he recognized it, but her name is preserved only as Darr, Durr, Dorr. They say that, according to their traditions, Mattamuskeet Lake, in Hyde County, is a burnt lake, and so it is; but they have no traditions in regard to Roanoke River. They say, also, that some of the earlier settlers intermarried with them, and this may explain the presence of such names among them as Chavis (Cheves), Goins (O'Guin), Leary (O'Leary).

[1] Lawson, History of North Carolina (ed. 1903), pp. 108, 109.
[2] A house pulled down on Person Street, in Fayetteville, in 1898, dates this date. This places the first settlements in this section at an earlier date than has been assigned them hitherto. (H. McMillan, in a letter to the writer.)

II. *Character and disposition.*—These Indians are hospitable to strangers and are ever ready to do a favor for the white people. They show a fondness for gay colors, march in Indian file, live retired from highways, never forget a kindness, an injury, nor a debt. They are the best of friends and the most dangerous of enemies. They are reticent until their confidence is gained, and when aroused are perfect devils, exhibiting all the hatred, malice, cunning, and endurance of their Indian ancestors.[1] At the same time they are remarkably clean in their habits, a characteristic not found in the pure-blooded Indian. Physicians who practice among them say they never hesitate to sleep or eat in the house of a Croatan. They are also great road builders, something unknown to the savage. They have some of the best roads in the State, and by this means connect their more distant settlements with those on Lumber River. One of these, the Lowrie road, has been open for more than a hundred years, and is still in use. It extends southwest from Fayetteville, through Cumberland and Robeson counties, to a settlement on the Pee Dee. It was over this road that a special courier bore to General Jackson in 1815 the news of the treaty of Ghent.

III. *Language and Family Names.* The speech of the Croatans is very pure English; no classical terms are used. It differs from that of the whites and from that of the blacks among whom they live. They have preserved many forms in good use three hundred years ago, but which are now obsolete in the written language and are found only in colloquial and dialectical English. They drawl the penult or final syllable in every sentence. They begin their salutations with "mon-n-n," which means man. This seems to be frequently used much in the sense of the German *mann sagt*, or the French *on dit*, their traditions usually beginning: "Mon, my fayther told me that his fayther told him," etc. They retain the parasitic (glide) y, which was an extremely common development in Anglo-Saxon, in certain words through the palatal influence of the previous consonant, pronouncing cow as c*y*-ow, cart as c*y*-art, card as c*y*-ard, girl as g*y*-irl, kind as k*y*-ind. The voiceless form *whing* is retained instead of the voiced *wing*. They have but two sounds for a, the short a being changed into o before nasals and representing Anglo-Saxon open o in mon. They use the northern lov*and* in place of the later hybrid loving. The Irish *fayther* is found for father. The dialectical

[1] A fearful illustration of this spirit was shown in the career of Henry Berry Lowrie, "the great North Carolina bandit." In February, 1864, the Home Guard of Robeson County found Allen and William Lowrie, the father and brother of Henry Berry, guilty of receiving stolen goods, tried them by court-martial, and executed them under military law. The execution awakened the desire for revenge in the remaining brothers, and under the leadership of Henry Berry Lowrie they defied for ten years the authority of the county, the State, the Confederacy, and the United States. They killed the best men in the section, some for plunder, some for revenge, and some in self-defense. Henry Berry Lowrie was twenty-six at the time of his death, and in physique was a perfect Apollo. His countenance expressed the highest degree of firmness, courage, and decision of character. His forehead was high, broad, and massive; his eyes were a grayish hazel, his hair was straight and black, his chest was deep and broad; he was five feet ten inches high, weighed one hundred and fifty pounds, and was as elastic as rubber. He was always completely armed; in a belt he carried five long-range, six-barreled revolvers; a Henry rifle carrying sixteen cartridges was suspended at his back; a long knife and a double-barreled shotgun were found in his hands. His armament weighed not less than eighty pounds, but with it he could run, swim, bear weeks of exposure in the swamps, and travel by day and by night to an extent which would have killed a white man or negro. He slept on his arms, never seemed tired, and was never taken by surprise. During his long career of outlawry he was never untrue to a promise, never committed arson, nor insulted a white woman. A reward of ten thousand dollars was placed on his head; he was hunted by night and by day, but eluded all his pursuers, and perished on Feb. 20, 1872, from the accidental discharge of his gun. After the death of the chief the band lost much of the terror of its name, and two years later the last outlaw was slain. (*Cf.* The Lowrie History, as Acted in Part by Henry Berry Lowrie, the Great North Carolina Bandit, with Biographical Sketches of his Associates, by Mrs. Mary C. Norment, Wilmington, 1875. This book was written by Joseph B. McCallum; the chapter on the genealogy of the tribe is "notoriously unreliable"; it makes them all descendants of James Lowrie, who came to Robeson County from Virginia in 1769.)

Jeams is found in place of James. They regularly use *mon* for man; *mension* for measurement; *aks* for ask; *hit* for it; *hosen* for hose; *housen* for houses; *crone* is to push down and *wit* means knowledge.[1]

The strongest evidence of all is furnished us by the family names of the Croatan Indians of to-day. John White, in his account of the settlement of 1587, has left us "the names of all the men, women, and children which safely arrived in Virginia and remained to inhabit there." These settlers were one hundred and seventeen in number, and had ninety-five different surnames; out of these surnames forty-one, or more than forty-three per cent, including such names as Dare, Cooper, Stevens, Sampson, Harvie, Howe, Cage, Willes, Gramme, Viccars, Berry, Chapman, Lasie, and Chevin, which are now rarely met with in North Carolina, are reproduced by a tribe living hundreds of miles from Roanoke Island, and after a lapse of three hundred years.[2] The chroniclers of the tribe say that the Dares, the Coopers, the Harvies, and others retained their purity of blood and were generally the pioneers in emigration. And still more remarkable evidence is furnished us by the fact that the traditions of every family bearing the name of one of the lost colonists point to Roanoke Island as the home of their ancestors.

To SUMMARIZE: Smith and Strachey heard that the colonists of 1587 were still alive about 1607. They were then living on the peninsula of Dasamonguepeuk, whence they traveled toward the region of the Chowan and Roanoke Rivers. From this point they traveled toward the southwest and settled on the upper waters of the Neuse. John Lederer heard of them in this direction in 1670, and remarked on their beards, which were never worn by full-blooded Indians. Rev. John Blair heard of them in 1704. John Lawson met some of the Croatan Indians about 1709 and was told that their ancestors were white men. White settlers came into the middle section of North Carolina as early as 1715 and found the ancestors of the present tribe of Croatan Indians tilling the soil, holding slaves, and speaking English. The Croatans of to-day claim descent from the lost colony. Their habits, disposition, and mental characteristics show traces both of Indian and European ancestry. Their language is the English of three hundred years ago, and their names are in many cases the same as those borne by the original colonists. No other theory of their origin has been advanced, and it is confidently believed that the one here proposed is logically and historically the best, supported as it is both by external and internal evidence. If this theory is rejected, then the critic must explain in some other way the origin of a people which, after the lapse of three hundred years, show the characteristics, speak the language, and possess the family names of the second English colony planted in the western world.

[1] The student of language will be interested in a paper on Early English Survivals on Hatteras Island, published by Prof. Collier Cobb, in which he points out the persistence of obsolete forms of speech still found among the "bankers" of the North Carolina coast and suggests that these people may themselves be connected with the Lost Colony.

[2] Dr. Hawks reprints (History of North Carolina, I, 211, from Hakluyt) this list of names. Mr. McMillan has compared it with the names of the Croatans, and, according to his authority, those written below in italics are now found among the Croatans. See p. 54.

Southward they [Newport's exploring party] went to some parts of Chowanook and the Mangoangs, to search there those left by Sir Walter Raleigh, which parts—to the towne of Chesepeak—hath formerly been discovered by Mr. Harriott and Sir Ralph Lane.

The high land is in all likelihoodes, a pleasant tract, and the mould fruitful, especially what may lye to the Southward, where at Peccarecamek and Ochanahoen by the relation of Machumps,[1] the people have houses built with stone walls, and one story above another, so taught them by the English who escaped the slaughter at Roanoke, at which time this our Colony, under the conduct of Captain Newport, landed within the Chesepeake Bay, where the people breed up tame turkeys about their houses, and take apes in the mountains, and where at Ritanoc the Weroance Eyanoco preserved seven of the English alive, four men, and two boys and one young mayde (who escaped and fled up the river of Choanoak) to beat his copper, etc. (Strachey, 26.)

[Powhatan] seems to command south and north from the Mangoangs and Chowanoaks, bordering upon Roanoke and the old Virginia, a town pallisadode standing at the north end of the bay. (Strachey, 48.)

He doth often send unto us to temporize with us, awaiting perhaps a fit opportunity (inflamed by his furious and bloody priests) to offer us a taste of the same cup which he made our poor countrymen drink of at Roanoke.

[In "The True and Sincere Declaration" made by the governor and councillors of the Jamestown settlement in December, 1609—they speak of having] intelligence of some of our nation planted by Sir Walter Raleigh, yet alive, within fifty miles of our fort, who can open the womb and bowels of this country; as is testified by two of our Colony sent out to seek them, who (though denied by the savages speech with them) found Crosses and Letters, the Characters and assured Testimonies of Christians, newly cut in the barks of trees. (Brown's Genesis, I, 349.)

[The discovery of these characters recently cut in the barks of trees at that time locates some of Raleigh's colony within fifty miles of Jamestown in 1608. The narrative continues:]

What he knew of the Dominions, he spared not to acquaint me with, as of certain men cloathed at a place called Ochanahonan, cloathed like me.

[And again:] We had agreed with the King of Paspehegh to conduct two of our men to a place called Panawicke, beyond Roanoke where he reported many men to be apparelled. We landed him at Warraskoyack, where playing the villain and deluding us for rewarde, returned within three or four days after, without going further.

[Smith sent from Warraskoyack, Master Scitlemore and two guides to seek for the Lost Colony of Sir Walter Raleigh. (Smith's True Relation.)

Alexander Brown has found and embodied in his work a rude drawing sent by Francis Nelson from Virginia in 1608 to illustrate Smith's "True Relation," and the same year sent to Spain from London. (Brown's Genesis, I, 184. February, 1608.)

[1] An Indian of Powhatan's tribe who had been to England.

On this map, on the Chowan, or on the Nottoway, falling into the Chowan River, Ochanahonan is placed: and on the Tar, or upper Pamlico River, "Pakrakanick" is located: and near it is a legend: "Here remayneth 4 men clothed that came from Roanoak to Ochanahonan." Between the Chowan and the Moratoc (Roanoke River) on this map is a legend: "Here the King of Paspehegh reported our men to be, and wants to go." And that region is marked "Pananiock."

On the map, the point Warraskoyack, from which Master Scitlemore and two guides started, and where Smith landed "the King of Paspehegh to conduct two of our men to a place called Panawicke, beyond Roanoke," is on a stream that probably is intended to represent Nansemond River. (December, 1608.)

This map was drawn on the relation of some Indian. The Indians of the James River had no connection with those farther south. Powhatan's jurisdiction did not extend over the Chowanists or the Mongoaks. The Indian who gave the information on which the drawing was based probably had but little familiarity with the localities, knowing about the rivers but nothing of the coast. He knew that the first river was the Chowan and its tributaries; that the next was the Moratoc, and that farther on there was a third—the Tar. He probably knew nothing of the sounds. He placed the chief town of the Chowan Indians on the northeast side of the Chowan River, and Ochanahonan on the other side. It seems to the author of this work that Ochanahonan is probably the town called by Lane Ohanoak. On DeBry's map this town is placed above the town of Chowanoak, but in Lane's narrative it is located below that town.

The Indian account places Pananiock, where White's colony settled, between the Moratoc and the Chowan rivers, but as the Indian was probably not acquainted with the waters of the sound, and only knew that the Moratoc discharged itself some distance below the Chowan, he inaccurately indicates that both emptied into the ocean. In that he was mistaken; but he probably was correct in locating the settlement north of the Moratoc River. It was between the mouth of the Moratoc and the Chowan that Lane observed the "goodly highlands," and that location being substantially "fifty miles in the interior" from Roanoke Island, it is there we would expect to find the place of permanent settlement. And it is there that the Indian relation places it.

After the massacre, "four men and two boys and one young mayde" escaped and fled up the river of Chowanoak, and were preserved by the Weroance at Ritanoe. This flight could have been readily made from a point north of the Moratoc River. It is also stated that four men came to Ochanahonan. If there were still other fugitives than those preserved at Ritanoe, their journey through the woods would also indicate that Pananiock was on the north of the Moratoc.]

LAWSON'S SUGGESTIONS.

The first discovery and settlement of this country was by the procurement of Sir Walter Raleigh, in conjunction with some public spirited gentlemen of that age, under the protection of Queen Elizabeth; for which reason it was then named Virginia, which

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fort are to be seen at this day as well as some old English coins which have been lately found, and a brass gun, a powder horn and one small quarter-deck gun made of iron staves, which method of making guns might very probably be made use of in those days for the convenience of infant colonies. (Lawson's History of North Carolina, 108.)

A further confirmation of this we have from the Hatteras Indians who either then lived on Roanoke Island or much frequented it. These tell us that several of their ancestors were white people and could talk in a book as we do: the truth of which is confirmed by gray eyes being found frequently amongst these Indians and no others.

They value themselves extremely for their affinity to the English and are ready to do them all friendly offices. It is probable that this settlement miscarried for want of timely supplies from England, or through the treachery of the natives: for we may reasonably suppose that the English were forced to cohabit with them for relief and conversation: and that in process of time, they conformed themselves to the manners of their Indian relations; and thus we see how apt human nature is to degenerate.

THE HATTERAS INDIANS.

[The Hatteras Indians in 1585 were not under the same government as the savages on the mainland. They were a different tribe; and they were so few in numbers and so poor that when Lane was making a counterplot against Pemisapan and pretended that he was going to make a journey to Croatoan, he asked to be furnished with men to hunt for him while there, and with four days' provisions to last during his stay. No subsistence could be gotten from the Croatoans. A century later, in Lawson's time, that tribe had but sixteen fighting men, and even if all of these had a strain of English blood in them, their white ancestors might have been but a very small fraction of the English colonists. The tribe was still further reduced during the Indian War of 1711–15, when it adhered to the English. It lingered about its old home, suffering the fate of other small tribes, gradually becoming extinct. In 1763 some of the Hatteras and Mattamuskeet Indians were still living on the coast of Hyde, where a reservation had been set apart for them. Because names borne by some of the colonists have been found among a mixed race in Robeson County, now called Croatans, an inference has been drawn that there was some connection between them. (C. R., VI, 995.) It is highly improbable that English names would have been preserved among a tribe of savages beyond the second generation, there being no communication except with other savages. If English names had existed among the Hatteras Indians in Lawson's time, he probably would have mentioned it as additional evidence corroborating his suggestion deduced from some of them having gray eyes, and from their valuing themselves on their affinity to the English. It is also to be observed that nowhere among the Indians were found houses or tilled lands or other evidences of improvement on the customs and manners of the aborigines. When this mixed race was first observed by the early settlers of the upper Cape Fear, about 1735, it is said that they spoke English,

cultivated land, lived in substantial houses, and otherwise practised the arts of civilized life, being in these respects different from any Indian tribe. In 1754 they were described as living on "Drowning Creek, on the head of Little Peedee, fifty families, a mixed race, a lawless people, possessed the lands without patent or paying quit rents; shot a surveyor for coming to view vacant lands, living enclosed in great swamps." (C. R., V, 141.) From that time to the present these people have remained in their settlement on Drowning Creek. It is worthy of remark that in 1754 they were not considered Indians, for the military officers of Bladen County particularly reported that there were no Indians in that county. Whatever may have been their origin and the origin of their English names, neither their names nor their English manners and customs could have been perpetuated from the time of the Lost Colony without exciting some remark on the part of explorers, or historians. Apparently that community came into being at a later date. Yet it is to be observed that many persons believe them to be the descendants of the Lost Colony; and the Legislature has officially designated them as "Croatans," and has treated them as Indians.[1]]

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CHAPTER III.

LANE'S COLONY, 1585–86.

Lane's colony.—Arrival at Wokokon.—Secotan visited.—Aquascogoc burned by Grenville.—Disembarkation at Hatteras.—Settlement at Roanoke.—Fort Raleigh.—Explorations.—Manteo friendly.—Wanchese hostile.—The peril of famine.—Lane penetrates the Chowanoak; seizes Skyco; ascends the Moratoc.—Food exhausted.—The Indian conspiracy.—The hostiles gather at Dasamonquepeuc.—Lane strikes a blow and secures safety.—The arrival of Drake.—The departure of the colonists.—Arrival of Grenville's fleet.—Fifteen men left to hold possession.

THE FIRST COLONY.

Hastening to lay the foundations of a regal domain and with an eager anticipation of rich returns from his commercial dealings, Sir Walter now prepared a second expedition, which was to transport a hundred colonists for settlement in Virginia. Provisions were collected for a year's subsistence, by which time a new supply was to be furnished. The colonists were to be under the authority of Ralph Lane, as governor, who was chosen for this important post because he had already given the world assurance of his bravery, capacity, and resourcefulness. Among the enterprising men of that day he ranked high for energy, courage and versatile powers. Barlow, who, years before, had served with Raleigh in Flanders, was again to be with the party, and was to remain in Virginia as admiral; while Cavendish, afterward famous as a bold and skillful navigator, Thomas Hariot, highly distinguished as a mathematician and scientist, and John White, whose maps and admirable sketches, made in Virginia, are still extant, and who was deeply interested in the work of colonization, were likewise members of the company. At length, the preparations being completed, a fleet of seven vessels, all small, however,

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and capable of entering the inlets of the Virginia sounds, under the command of Sir Richard Grenville, a kinsman of Sir Walter Raleigh, and famous for his skill and bravery, set sail from Plymouth on April 9, 1585. After various adventures that caused delay, the fleet passed the Cape Fear on June 23d, and two days later came to anchor at Wokokon, now known as Ocracoke, southwest of Cape Hatteras. One of the vessels, under Captain Raymond, had, however, preceded the others, and having reached the vicinity twenty days earlier, had disembarked thirty-two men at Croatoan, a part of the sandbanks nearer the cape, that island also being called the "Admiral's Island," and Cape Hatteras itself was known as Cape Amadas.

EXPLORATION ON THE MAINLAND.

Some ten days were spent in examining the vicinity, and then, on July 11th, a considerable party embarked in four large boats, and taking provisions for eight days, passed over to the mainland, bordering on Pamlico Sound. They visited the Indian town of Pomeiok, and the great lake, Paquipe, and the town of Aquascogoc, and then Secotan, and explored the rivers of that region. During the expedition an Indian at Aquascogoc stole a silver cup from Sir Richard Grenville, and not restoring it, according to promise, Sir Richard went back from Secotan to that town for the purpose of regaining it; but the Indians had fled. So Sir Richard, to punish the theft, burned and spoiled their corn, which set those savages at enmity with the English.

Having gained some familiarity with those southern parts, the admiral weighed anchor, and turning the cape, reached Hattorask Inlet, having previously advised King Wingina at Roanoke Island of their coming. The colonists were accompanied by Manteo and Wanchese. The former had been strengthened in his friendship for the English, but the latter, whether because of apprehensions of their great power, which he had beheld in England, or because he belonged to that tribe on the Pamlico whose corn Sir Richard had destroyed, displayed an unfriendly disposition toward them. Arriving at Hattorask, the settlers disembarked on August 17th, and landed on Roanoke Island. Who now can enter fully into the feelings of those first adventurers, who in that summer time made their lodgment in the New World! The unknown country, the placid waters of the great sound, the delightful atmosphere and brilliant sunshine, and their difficult intercourse with the untutored savages who gathered around them—with their strange color, manners, and customs—and themselves so far removed from their distant homes—must have been constant subjects of reflection, mingling pleasure and apprehension, gratifying their spirit of adventure, and fostering hopes of personal reward, but ever startling them with the extreme novelty of their situation. A week after the landing Grenville took his departure, leaving the colonists established on Roanoke Island.

FORT RALEIGH ON ROANOKE ISLAND.

Lane at once began the erection of dwelling houses at a convenient point on the northern end of the island, and constructed a fort there, which he called Fort Raleigh; and from there excursions were made in every direction to get a better acquaintance with the country and

its products. To the southward they went eighty miles to Secotan, that lay near the mouth of the Neuse; to the north they reached the Chesipeans, some fifteen miles inland from the head of Currituck Sound, and temporarily a small number of the English established themselves in that region. From these Indians, as well as from information derived from those on the Chowan, Lane learned that there was a larger and better harbor not far distant to the northward. On the west they penetrated to Chowanoak, a large Indian town on the Chowan River, and in that region they found an Indian sovereign, or Weroance, who ruled about eight hundred warriors, having subject to him eighteen towns. These towns, however, never consisted of more than thirty houses, and generally of only ten or twelve. The houses were made with small poles fastened at the top, the sides being covered with bark, and usually about twenty feet long, although some were forty and fifty feet, and were divided into separate rooms.

In these explorations the colonists ascended the various rivers emptying into the sound, and became familiar with the adjacent country. Hariot devoted himself to the study of the natural history of the region and wrote a valuable account of the animals, the vegetables, the plants, and the trees found there, and White made many sketches that are still preserved in the British Museum.

FAMINE THREATENS THE COLONISTS.

Among the savages, Ensinore, the old father of Wingina and Granganimeo, and Manteo were friendly with the white strangers; but the other chieftains were not favorable to them, although their bearing was not openly hostile. Granganimeo unfortunately died shortly after the arrival of the colonists, and upon that event Wingina, the king, according to some usage, took the name of Pemisapan, and as time passed he began to intrigue against the English, in which he was joined by Wanchese, Terraquine, Osacan, and other head men of the Indians. Relying on an additional supply of provisions by Easter, the colonists had been improvident, and by spring had exhausted their stock, and the planting time of vegetables and corn had hardly come when they found themselves without food. Their reliance now, temporarily at least, was on the corn of the Indians, and that was difficult to obtain. Their situation had become one of peril, especially as the Indians were reluctant to supply them. Pemisapan, understanding their difficulties, and at heart their enemy, now warily devised a plan for their destruction. He instilled into the Chowanists and into the Mangoaks, a strong and warlike tribe inhabiting the region on the Moratoc, or Roanoke River, that the English were their enemies; and then he informed Lane that the Mangoaks had much corn and that there were rich mines of gold and copper and other minerals in their country, and that they possessed stores of pearls and precious stones. This appealed strongly to Lane's cupidity, and he eventually determined to visit them, and applied to Pemisapan for guides, and three Indians besides Manteo were assigned to accompany him. So in March Lane set out on his expedition, taking the pinnace and two smaller boats, with some 50 or 60 men. He visited all the towns on the water's edge, and was especially pleased with some high land seen before reaching Chowanoak, subject to that king, where there was a goodly cornfield and a

cultivated land, lived in substantial houses, and otherwise practised the arts of civilized life, being in these respects different from any Indian tribe. In 1754 they were described as being on "Drowning Creek, on the head of Little Peedee, fifty families, a mixed crew, a lawless people, possessed the lands without patent or paying quit rents; shot a surveyor for coming to view vacant lands, being enclosed in great swamps." (C. R., V, 161.) From that time to the present these people have remained in their settlement on Drowning Creek. It is worthy of remark that in 1754 they were not considered Indians, for the military officers of Bladen County particularly reported that there were no Indians in that county. Whatever may have been their origin and the origin of their English names, neither their names nor their English manners and customs could have been perpetuated from the time of the Lost Colony without exciting some remark on the part of explorers, or historians. Apparently that community came into being at a later date. Yet it is to be observed that many persons believe them to be the descendants of the Lost Colony; and the Legislature has officially designated them as "Croatans," and has treated them as Indians.[1]]

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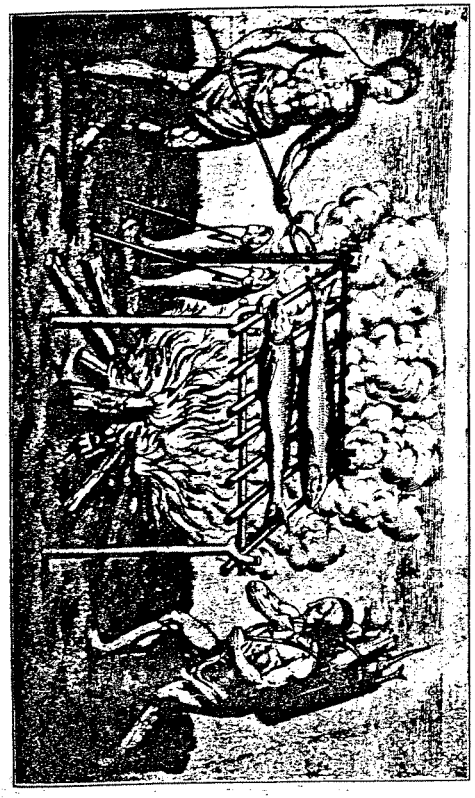

INDIANS COOKING FISH.

town called Ohanoak. Arriving at Chowanoak, he found a considerable assemblage there, the King Menatonon and his people being under apprehension that the English were enemies to them. Although Lane as a precautionary measure seized the person of the king and his young son, Skyco, he, nevertheless, was able to disarm their fears, and during a sojourn of two days with them obtained considerable information concerning the Mongoaks and their country, and also learned that by ascending the Chowan two days in a boat he would be within a four days' journey, by land, of a king's country that lay upon the sea. Obtaining some corn from Menatonon, and keeping Skyco as a hostage for further kindness, he sent the young Indian prince in the pinnace to the fort, and with the remaining boats and forty men pushed on up the Moratoc. His progress was slow, and he observed the difference between the strong current of that river and the sluggish waters of the great estuaries of the broad sound of Weapomeiok, as the country north of Albemarle Sound was then called.

EXPLORATION AND STARVATION.

The Mongoaks proved hostile, and when he had ascended the river two days, having progressed about thirty miles, they made an attack that was, however, easily repulsed. Then penetrating into the country, Lane found that the savages withdrew before him, removing all their corn and leaving nothing on which his men could subsist. His provisions being nearly out, he left it to the men to determine whether they should return or proceed: but they had two large mastiffs with them, and the men, declaring that the dogs prepared with sassafras would be good for two days' food, would not then abandon the expedition; and so they pushed on farther, but without any favorable result. At length, in danger of starvation, and their strength failing, they turned down stream, and in one day reached an island at the mouth of the river.

Their provisions now were entirely exhausted; but here, because of a heavy wind raising great billows in the sound, they were constrained to remain the whole of the next day. It was Easter eve; and Lane says they truly kept the fast. But Easter morn brought them new hope, and the storm ceasing, they entered the sound, and by four o'clock reached the Indian town of Chepanum (apparently on Durant's Neck, between Little and Perquimans rivers), which they found deserted; but fortunately there were fish in the weirs that furnished timely food; "for some of our company of the lighthorsemen were far spent," those sailors who managed the canoes or light boats since called gigs being facetiously designated as "lighthorsemen."

The next morning, refreshed and strengthened, they resumed their journey and returned to Roanoke in safety.

THE INDIANS BECOME HOSTILE.

In their absence, Pemisapan had stirred up the neighboring Indians to enmity against the remaining colonists, and hoping that his devices for the destruction of Lane's party had succeeded, he sought to strengthen the resolution of his followers by declaring that

Lane and his party had either died of starvation or had been cut off by the Mongoaks. Ensinore, who had urged more friendly counsels, had unfortunately died toward the end of March, and there was now no influence to counteract Pemisapan's hostility; and urged by him, the Indians would no longer render any assistance in the way of obtaining either fish or other food, and the situation of the colony was becoming extremely critical. The protracted absence of Lane's party added to their despondency, while it gave color to the report of their destruction. Such was the deplorable condition on the island when Lane's reappearance, contrary to the prophecies of his enemies, together with the accounts given by the Indians who had accompanied him of the ease with which he had overcome those Mongoaks who had fought him, caused a reaction in favor of the whites, and the Indians once more began to set weirs for them and aided them in planting corn, the planting season having now arrived. Still, until relief should come from England, or the crops just planted should mature, the colonists had to rely on such supplies as they could gather for themselves. In this extremity resort was had to the oyster beds found in the sound; and the better to subsist, the men were divided into small companies, and located at different points. Captain Stafford and twenty others were sent to Croatoan, where, while getting oysters, they could watch for the approach of the expected vessels bearing relief; at Hattorask a dozen more were stationed for the same purpose, while every week companies of fifteen or twenty were sent to the mainland to hunt for food. Thus they managed to exist through the month of May, waiting and watching in vain for the promised supplies from home.

In the meantime, Pemisapan, while preserving a friendly guise, began to plot anew against them, and instigated the hostile Indians to take the whites at a disadvanatge, falling upon them while scattered and cutting them off in detail. To carry out this scheme he proposed to hold a great assembly of Indians, to last a month, by way of solemnizing the death of his father, Ensinore. This meeting was to be held on the mainland, at Desamonguepeuk, opposite Roanoke Island; and besides seven hundred neighboring warriors, it was to be attended by an equal number of the Mangoaks and Chesipeans, who were to come and lie secretly in the woods until the signal fires should give them the order to rise. As a part of the same plan, it was arranged that Terraquine, one of Pemisapan's chieftains, with twenty men, should set fire to the thatched roof of Lane's house, and when he should come out, they were to murder him. Another leader and squad were to deal with Hariot the same way; and, similarly, all of the principal men of the colony were to be surprised and overcome. Toward the end of May the neighboring Indians began to assemble on Roanoke Island, the night of June 10th being the time appointed for the others to meet and carry into effect the murderous plot.

Skyco, being the son of a king, on reaching the island had been taken by Pemisapan to reside with his own family, and as the young prince was held a prisoner and was deemed hostile to the English, the plot became known to him; but Lane had treated him with kindness and consideration, and the young boy in gratitude revealed to him all the details of the conspiracy. Confronted with such an emergency, Lane's strength of character and resolution promptly displayed

itself. Had he been a weaker man, not so resourceful, the colonists would probably have fallen victims to Indian strategy.

LANE'S STRATEGY.

Pemisapan had gone over to the mainland, ostensibly to see about his growing corn crops, but really to attend to collecting the hostile Indians. Lane, realizing that safety could only be secured by the death of this wily foe and of his coadjutors, resolved on an immediate stroke. He sent him word to return to the island, for having heard of the arrival of his fleet at Croatoan, he himself proposed to go there; and he wished Pemisapan to detail some of his men to fish and hunt for him at Croatoan, and he also wanted to purchase four days' supply of corn to take with him. Pemisapan, however, did not fall into the trap; but while promising to come, postponed doing so from day to day, waiting for the assembling of the hostile Indians. At length, on the last of May, all of Pemisapan's own people having begun to congregate on the island, Lane determined to wait no longer. So that night he ordered "the master of the light-horsemen," as he termed his chief boatman, with a few others to gather up at sunset all the canoes in the island, so as to prevent any information being conveyed to the mainland. As the "light-horsemen" were performing this duty, they saw a canoe departing from the island, and in seizing it two of the savages were killed. This aroused the Indians who were present, and they at once took themselves to their bows and the Englishmen to their muskets. Some few of the savages were killed in the encounter and the others fled down the island. At dawn the next morning, with the "light-horsemen" and a canoe carrying twenty-five others, with the "colonel of the Chesipeans," and "the sergeant major," Lane hastened to the mainland, and sent word to Pemisapan that he was coming to visit him, as he was about to depart for Croatoan, and wished to complain of the conduct of Osacan, who the night before had tried to convey away the prisoner Skyco, whom he had there handcuffed. The Indian king, ignorant of what had happened on the island, and not suspecting any hostile purpose, received Lane and his attendants, who, coming up, found him surrounded by seven or eight of his principal Werouances, together with many other warriors.

As soon as they met, Lane gave the agreed signal, "Christ, our Victory," and immediately the colonel of the Chesipeans, the sergeant major, and their company opened fire, and Pemisapan and his chief men were slain and the others dispersed. A blow so sudden and terrible paralyzed the Indians; the plot was abandoned and the danger averted.

DRAKE ARRIVES AND THE COLONISTS RETURN TO ENGLAND.

A week later, on June 8th, the colony was thrown into an ecstasy of excitement by the hasty arrival of a messenger from Stafford, who reported seeing off Croatoan a fleet consisting of more than twenty vessels; but war had the year before broken out between Spain and England, and it was not at first known whether the ships belonged to friends or foes. The next day, however, Stafford himself came, having walked twenty miles by land, bringing a letter, proffering

food and assistance, from Sir Francis Drake, then at Hattorask, who had just returned from sacking Santo Domingo, Cartagena and St. Augustine. With a joyful heart, Lane hastened to the fleet "riding at his bad harbor"; and Drake proposed to leave him a sufficient supply of provisions and a small vessel that could pass the inlet and lie within the sound. But before the necessary arrangements were completed a terrific storm came up that lasted three days, and the vessel which was to have been left was blown to sea and did not return; and much damage was done to the other ships of the fleet, and many pinnaces and smaller boats were entirely lost. After the storm had abated, Drake offered to leave another vessel, but he then had none that could enter the harbor; so the ship, if left, would have had to remain on the perilous coast. As an alternative proposition Drake offered to take the colonists aboard and transport them to England. After consideration, it was deemed best to accept this last offer, and the different companies into which the colony had been broken being again collected, they embarked on June 19th and safely reached Portsmouth on July 27th. Thus, after a nine months' residence, ended the first attempt to plant a colony on Roanoke Island.

In the meantime, a bark bearing advice that a new fleet was coming had been despatched from England, and somewhat later Sir Richard Grenville sailed with three vessels freighted with supplies and bringing other colonists. The first bark arrived immediately after the departure of Lane, and finding the settlement abandoned, returned to England; but when Sir Richard came, a fortnight later, he remained three weeks searching for the settlers and making explorations; and then putting fifteen men in the fort, with an ample supply of provisions, he sailed away on a cruise against the Spaniards.

CHAPTER IV.

WHITE'S COLONY, 1587–91.

Raleigh's embarrassments.—Conveys an interest in Virginia to Thomas Smith, John White, and associates.—The City of Raleigh in Virginia.—White's colony departs.—Howe murdered.—White despoils the fields of the hostiles.—Baptism of Manteo.—Birth and christening of Virginia Dare.—White returns to England.—The Armada.—White's first attempt to return to Virginia.—Raleigh makes further conveyance of his interest.—White sails in February, 1591.—Finds colony removed.—Mace's voyage.—Elizabeth dies.—Raleigh arrested for treason.—The settlement at Jamestown.—Fate of the Lost Colony.

RALEIGH'S EMBARRASSMENTS.

The unexpected return of Lane's colonists greatly disappointed Raleigh. His efforts at exploration and colonization had involved great expenditures. He had already disbursed forty thousand pounds in the enterprise, a sum approximating in this age half a million dollars, and that at a period when there was no great accumulation of wealth in England. He had now been at court some years and was a member of Parliament; and his fine powers and accomplishments, his versatility of genius and varied learning, commended him to the high favor of the queen, who gave substantial evidence of her inclination to push his fortunes. In 1584 she had bestowed on him a grant of

twelve thousand acres of forfeited land in Munster, Ireland, which he attempted to colonize with English tenants and where he employed a large force in cutting timber for market, which, however, did not turn out a profitable enterprise. Also, beginning in the same year, he received annually for five years profitable grants allowing him to export quantities of broadcloth from England—a sort of monopoly; and he likewise obtained a lucrative monopoly in the grant of the "farm of wines," vesting in him the power of selling licenses for the vending of wine and, in some measure, of regulating the price of that commodity throughout the kingdom. Some months after Lane's return, on the attainder of Anthony Babbington, the queen was also pleased to bestow on Raleigh all of the estates that had come to the Crown by the attainder, which gave him rich manors and broad acres in five counties of England. In July, 1585, when the war broke out with Spain, he was created Lord Warden of the Stannaries (Cornwall and Devon) and Vice-Admiral of Cornwall and Devon; and two years later he was appointed captain of the Queen's Guard, the office of a courtier, to succeed Hatton, who was to become Lord Chancellor. But neither his outlays in Ireland nor his expenditures for Virginia had yielded him any return, while his living at court, where he indulged in magnificent display, involved large expenses.

THE CITIE OF RALEIGH IN VIRGINIA.

Such were his circumstances when Lane's colony returned to England in the fall of 1586. But unwilling to abandon the enterprise and still hoping for profit from establishing a trade in Virginia, he now determined to associate merchants with him who would share the profits and the expenses. At that time some of the wealthy merchants of London were looking with eager eyes for new avenues of trade and commerce. Chief among these was Thomas Smith, whose subsequent enterprises led to his receiving knighthood at the hands of his appreciative sovereign; and of their number was Richard Hakluyt, to whom posterity is indebted for the collection and publication of many narratives of exploration and discovery in that interesting period. To Smith and eighteen other merchants who risked their money in the enterprise Raleigh granted free trade forever with his colony in Virginia, and to thirteen others he assigned the right of governing the colony. Of these John White, who had been in all the previous expeditions to Virginia, was constituted the governor, and the other twelve, who also were to accompany the colony, were nominated his assistants; among them Ananias Dare and Dionysius Harvie, who carried their wives with them, and the former of whom was White's son-in-law. These thirteen Raleigh, by patent, under the powers contained in his own charter, on January 7, 1587, erected into a corporation under the name of "The Governor and Assistants of the Citie of Raleigh in Virginia"; and the nineteen merchants were made members, "free of the corporation."

A PERMANENT SETTLEMENT ATTEMPTED.

These preliminaries being arranged, a new colony was collected, consisting of one hundred and twenty-one persons, of whom seventeen were women, twelve apparently being wives accompanying their

husbands, and nine being children. On April 26, 1587, three vessels bearing the colonists left Portsmouth for Plymouth; and on May 8th finally took their departure from that port for Hattorask, where, after many adventures, two of them arrived on July 22d, and a few days later the other. Raleigh had given written directions that after taking in the fifteen men left by Grenville the vessels were to proceed to Chesapeake Bay, where a new settlement was to be made, and such was the purpose of Governor White. But when White with a part of his men had left the ship to visit Roanoke Island for the purpose of taking off the fifteen men, Ferdinando, the admiral, influenced the sailors to say that they could not be received back into the ship, thus constraining all the colonists to disembark. At sunset White's boat reached the island, but the only trace he could find of the men left by Grenville was the bones of one that lay unburied where he had been slain. The fort had been razed down, but the cottages were still standing, some of the outer planks, however, being torn off. Forced to remain there, White set the men at once to work to repair the buildings and to construct others. The colonists had hardly gotten established in their new homes, when George Howe, one of the assistants, having strayed off two miles from the fort catching crabs on the shore opposite the mainland, was set upon by some savages, receiving sixteen wounds from arrows, and was slain. This was an evidence of hostility that White at once sought to allay. He sent Stafford with twenty men, accompanied by Manteo, who along with another Indian, Towaye, had gone to England and had now returned to Croatoan, where Manteo's mother and kindred were; and from these friendly Indians it was learned that some savages from the mainland had taken the men left by Grenville unawares, had killed some of them, set fire to the house where they had taken refuge, and driven them from the island; they taking their boat and going to an island near Hattorask, after which they had never been seen. They also said that it was a remnant of Wingina's men dwelling at Dasamonquepeuc who had slain Howe. To establish more amicable relations with these hostile Indians, the Croatoans were requested to go over to their towns and proffer them the friendship of the English, who promised to forgive and forget all past offences; and it was agreed that this embassy was to return with the answer within seven days. At the end of the time, no answers being received, White deemed it best to strike a blow to show that the colonists were to be dreaded. At night, accompanied by Stafford and twenty-four men and Manteo, he crossed over to Dasamonquepeuc and secreted his force near the Indian town; and early in the morning he opened fire on some Indians discovered there. Unfortunately, these were not the hostiles, who, fearing punishment for the murder of Howe, had fled, leaving their corn standing in the fields; but they were some of the Croatoans who had gone there to gather the corn. White, disappointed in his revenge, despoiled the fields and returned home. The colony being now settled, on August 13th a ceremony was performed at Roanoke that gave expression to the gratitude of Raleigh and the colony for the faithful and friendly services of Manteo.

By command of Sir Walter, the rite of baptism was administered to Manteo, and there was conferred on him the order of Knighthood;

BIBLIOGRAPHY OF THE LOST COLONY.

BAXTER, JAMES PHINNEY.—Raleigh's Lost Colony. New England Magazine, Jan., 1895, v, 565-587. ills.

BURNETT, SWAN M., M. D.—A note on the Melungeons. Amer. Anthropologist, Oct., 1889.
Also as separate, pp. 2.

COBB, COLLIER.—Early English Survivals on Hatteras Island. North Carolina Booklet, Oct., 1914, xiv, 91-99.
There are also various other earlier editions.

DROMGOOLE, Miss WILL ALLEN.—The Malungeons. Arena March, 1891. iii, 470-479. ill.
An unsympathetic article giving some account of their history, manners, and customs.

—— The Malungeon tree and its four branches. Arena, May, 1891, iii, 745-751.
Historical and genealogical.

MCMILLAN, HAMILTON.—Sir Walter Raleigh's Lost Colony. An historical sketch of the attempts of Sir Walter Raleigh to establish a colony in Virginia with the traditions of an Indian tribe in North Carolina indicating the fate of the colony of Englishmen left on Roanoke Island in 1587. Wilson, N. C., 1888. D. pp. 29.

—— Same. Revised edition. Raleigh [1907.]. O. pp. 46.

—— The Croatans. North Carolina Booklet, Jan., 1911, x, 115-121.

MELTON, FRANCES JONES.—Croatans: the lost colony of America. Mid-Continent Magazine, July, 1895, vi, 195-202. ills.

NORMENT, Mrs. MARY C.—The Lowrie history. Wilmington, 1875. O. pp. 161.
Written by Joseph B. McCallum.
Reprinted in Charlotte (N. C.) Sunday Observer, March 19, 26, April 2, 9, 16, 23, 30, May 7, 14, 21, 28, June 4, 11, 1913.

—— Another edition, Weldon, N. C., c. 1895. D. pp. 140.

—— Another edition. Lumberton, N. C., 1909. pp. 192.
Contains article on the subject of the Croatans first published by Col. F. A. Olds about 1897.

PERRY, WM. STEVENS.—The first Christian born in Virginia. Iowa Churchman, Jan. and Feb., 1893.

TOWNSEND, GEORGE ALFRED (Gath). The Swamp Outlaws: or, the North Carolina bandits. New York [1872]. O. pp. [2]+[9]—84. ills.
A catch-penny reissue of letters sent to the New York Herald.

WEEKS, STEPHEN B.—Raleigh's Settlements on Roanoke Island. An historical survival. Magazine of American History, Feb., 1891, xxv, 127-139, 2 ills.

—— The Lost Colony of Roanoke: Its fate and survival. Papers of the American Historical Association, 1891. v, 439-450.

—— Same article reprinted as separate. New York, 1891. O. pp. 42.

—— Same article summarized in Annual Report of American Historical Association, 1890, 97-98.

—— Arguments of the article reprinted in Tom Watson's Jeffersonian Magazine, July, 1911, xiii, 192-201.

WILSON, E. Y.—Lost Colony of Roanoke. Canadian Magazine, April, 1895, iv, 500.

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EXHIBIT CCC

EXTRACT FROM HISTORY OF NORTH CAROLINA.

[By Samuel A'Court Ashe.]

CHAPTER I.

REFERENCES TO THE COLONY, 1591-1769.

* * * * * * *

Whereas as I wrote unto yow in my last that I was goun to Weymouth to speak with a pinnes of mine arrived from Virginia, I found this bearer, Captayne Gilbert, ther also, who went on the same voyage. But myne fell 40 leaugs to the west of it, and this bearer as much to the east; so as neither of them spake with the peopell. But I do sende both the barks away agayne, having saved the charg in sarsephraze woode; but this bearer bringing sume 2200 waight to Hampton, his adventurers have taken away their parts and brought it to London. I do therefore humblie pray yow to deal withe my Lord Admirale for a letter to make seasure of all that which is come to London, either by his Lordship's octoretye or by the Judge: because I have a patent that all shipps and goods are confiscate that shall trade their without my leve. And whereas Sassaphraze was worth 10s., 12s. and 20s. per pound before Gilbert returned, his cloying of the market, will overthrow all myne and his own also. He is contented to have all stayde: not only for this present; but being to go agayne, others will also go and destroy the trade, which otherwise would yield 8 or 10 for one, in certainty and a return in XX weeks. * * * Letter of Sir Walter Raleigh to Sir Robert Cecil. Aug. 21, 1602 Edwards' Life of Raleigh, II, 251.)

I beseich yow, favor our right: and yow shall see what a prety, honorabell and sauf trade wee will make.

Yours ever to serve yow,

W. RALEGH.

[William Strachey was secretary of the colony of Virginia, and his "Historie of Travaile into Virginia Britannia" was apparently written after the colony had been seated at Jamestown six years—in 1613.]

The men, women and children of the first plantation at Roanoke were by practize and commandment of Powhatan (he himself persuaded thereunto by his priests) miserably slaughtered, without any offense given him, either by the first planted (who twenty and od years had peaceably lyved intermyxed with those Savages and were out of his territory) or by those who nowe are come to inhabit some parte of his desarte lands. (1613. William Strachey's Travaile into Virginia, 85.)

and he was created Lord of Roanoke and Dasamonguepeuk. And five days later another interesting event occurred, the birth of the first English child born in America. On August 18, 1587, Eleanor Dare, wife of Ananias Dare and a daughter of the governor, gave birth to a daughter, who the next Sunday was christened Virginia, because she was the first Christian born in the new country. A few days later, also, was born to Dionysius Harvie and his wife, Margery, a child, whose name, however, has not been preserved.

THE COLONISTS TO REMOVE INTO THE INTERIOR.

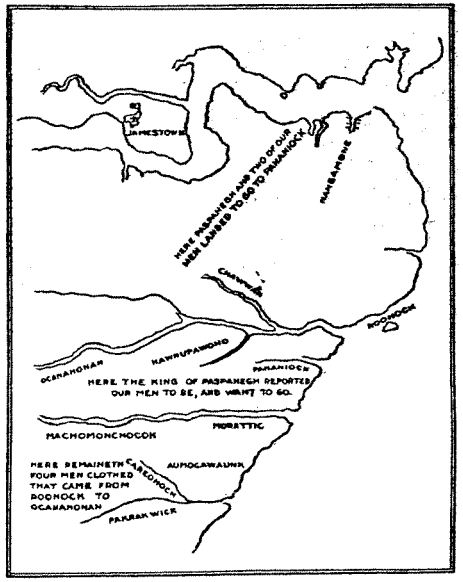
It was now discovered that certain other particular supplies were needed, as this was intended to be a permanent settlement; and there was consultation as to who should return with the fleet to obtain them. It was finally determined that White himself would answer the purpose best, and he agreed to go with the vessels back to England. But before his departure it was resolved that the colony should remove to some point about fifty miles in the interior; and it was agreed that they would, on departing from the island, leave some sign indicating their location; and if in distress, a cross would be the sign. It is probable that this point, fifty miles in the interior, where the colony was to locate, was the highland near Ohanoak, where there were goodly cornfields and pleasant surroundings.

At length, the fleet being ready to sail, on August 27th, after a month's sojourn with the colony, White embarked and departed for England. On the return voyage he met with many perilous adventures, but finally, about the middle of October, made land at Smerwick, on the west coast of Ireland, and in November reached Hampton. With him came to England still another Indian, who, accepting Christianity, was baptized at Bideford Church; but a year later died, and was interred there. When the colonists receded from White's view, as he left the shores of Virginia, they passed from the domain of history, and all we know is that misfortune and distress overtook them; and that they miserably perished, their sad fate being one of those deplorable sacrifices that have always attended the accomplishment of great human purposes.

CONDITIONS IN ENGLAND ON WHITE'S ARRIVAL.

On White's arrival, in November, 1587, seeking aid for the colony, doubtless the merchants and others who had ventured their means with Raleigh in this last attempt at colonization and trade in Virginia, were willing to respond; but there were rumors of the preparation in Spain of a great Armada to invade England, and an order had been issued forbidding the departure of any vessel from any English port. In that period of excitement and alarm, the necessities of the distant colonists were of less moment than the pressing matters at home. Still Raleigh, exerting his personal influence, obtained a license for two small vessels to sail, and on April 25, 1588, White departed with them from Bideford for Virginia. The captains, however, were more intent on a gainful voyage than on the relief of the colonists, and betook themselves to the hazardous business of making prizes. At length one of them, meeting with two ships of war, was after a bloody fight overcome and rifled, despoiled and disabled, and

she returned to England within a month; and three weeks later, the other, equally badly served, came home without having completed the voyage. Soon afterward, the great Armada appeared, and Raleigh was among those who made havoc of the Spanish galleons in the "morris dance of death," that, beginning in the straits, lasted around the north of Scotland and on the coast of Ireland. Imme-



Map of the lost colony. From Asher's History of North Carolina.

diately on his return he was challenged to mortal combat by the queen's favorite, the handsome boy, Essex, and for a time retired to Ireland in seclusion. But soon all his powers and resources were employed in distressing Spanish commerce and in taking rich prizes, while England was again and again threatened with Spanish invasion. In the following March, 1589, because, perhaps, both of his

public employments and of the greater facilities of the merchants to care for the colonists, he transferred his rights in Virginia by an assignment or lease to Thomas Smith, White and others, and relinquished his interest in the colony. What particular efforts these merchants made to relieve the planters are not recorded; but White afterward mentioned "having at sundry times been chargeable and troublesome to Sir Walter for the supplies and relief of the planters in Virginia." Because of the inhibition of the sailing of merchant ships from England, no opportunity presented for White to return to Virginia until early in 1591. He then ascertained that John Watts of London, merchant, was about to send three vessels to the West Indies; but when they were ready to depart, a general stay was again commanded of all ships throughout England. Taking advantage of this circumstance, White applied to Sir Walter to obtain a special license for these vessels to sail, on condition that they would transport a convenient number of passengers with their furniture and necessaries to Virginia. The license was obtained by Raleigh, but the condition was not observed; and the only passenger they would take was White himself, and no provisions for the relief of the colonists.

WHITE SAILS FOR ROANOKE.

Leaving Plymouth on March 20, 1591, they sailed for the West Indies and sought to make prizes, and had some desperate encounters. Eventually, on August 3d, they reached Wokokon, but were driven off by a storm. On Monday, the 9th, however, the weather being fair, they returned and anchored and went on shore, obtaining a supply of fresh water and catching great stores of fish. On the morning of the 12th they departed, and toward night dropped anchor at the north end of Croatoan. The next morning they sounded the inlet there, and then, on August 15th, came to anchor at Hattorask, seeing a great smoke on Roanoke Island. The next morning, after directing signal guns to be fired, to warn the colonists of their presence, they entered the inlet; but observing a great smoke toward the southwest, they landed and proceeded to it, only to meet with disappointment. Returning to their vessels, the morning following they set off again; but on passing the bar one of the boats was upset, and seven of the crew, including the captain, the mate and the surgeon, were drowned, and the remaining men protested against proceeding further. Distressing, indeed, was the situation of White and unpropitious the outlook of a journey begun with such a calamity. But at length the men reluctantly yielded and the boats proceeded to the island, arriving after night, anchoring off the shore and sounding a trumpet call and familiar tunes to evoke a response. But all in vain. No answer came, although in the distance a firelight was seen. At break of day they landed and hastened to the fire, finding no sign of the English. Then pressing across the island, they skirted along its western shore until they came to the north point near where the settlement had been. There on the shore they found a tree on which had been cut the Roman letters C. R. O. With despondent hearts they proceeded to the place of settlement, and saw that the houses had been taken down and the place strongly enclosed with a high palisade of great trees, very like a fort; and on a tree was cut the word "Croatoan," but without the cross or sign of distress. The boats

were gone; the pieces of light ordnance had been taken away, only some of the heavier pieces remaining, and the fort was all grown up with grass and weeds, as if long since deserted. A trench in which White had buried his boxes had been opened and his maps and property scattered, and his armor lay on the ground, almost eaten through with rust. It was a scene of desolation. There was still a hope, yet it must have been but faint, that the colonists could be found at Croatoan. White had just sailed along that island and had anchored at its northern end and had beheld no sign of the presence of any English there. Returning to the inlet, it was, however, determined to go again to that island. But after they had weighed anchor, the design was relinquished; and one vessel returned to England and the other steered for the West Indies. From that time onward the English who settled in Virginia were known as Raleigh's Lost Colony. They were not forgotten, but were never discovered.

RALEIGH'S EFFORTS TO RELIEVE THE COLONY.

Greater enterprises now absorbed Raleigh, who had become one of the most heroic of that splendid company of heroes who brought lustre to the Elizabethan Age; but still, between 1587 and 1602, it is said that he sent out no less than five expeditions to seek his unfortunate company in Virginia. In 1602 he bought a ship, hired a crew, placed it under the command of Samuel Mace, who had twice before sailed for Virginia, and in March sent it forth to search for the colonists. Mace struck Virginia forty leagues southwest of Hatteras, and spent a month trading with the Indians as he scoured along the coast; but without going to Croatoan or Hattorask, he returned to Weymouth in August. Raleigh hastened there to meet him, and found in the same harbor another vessel likewise just arrived from Virginia, but which had missed Roanoke also, by forty leagues to the northward. He, however, proposed to send them both away again, having saved the cost in the sassafras they brought, which he claimed because of his ownership of the land under his patent, no one having the right, he asserted, to trade in Virginia except by his license. The next year Richard Hakluyt, one of the grantees in the charter of the City of Raleigh, formally applied to Sir Walter for permission to sail to northern Virginia; but in the spring of that year, 1603, Elizabeth died, and before the summer had passed Raleigh was arrested for treason.

JAMESTOWN SETTLED—THE ROANOKE COLONY DISAPPEARS.

In the meantime the spirit of enterprise which had been stimulated by Raleigh's efforts at colonization had grown, and Thomas Smith and a few other London merchants, in 1599, had laid the foundations of the East India Company, whose great success led, in 1606, to the formation of another corporation, called the Virginia Company, with two divisions, at the head of one division being Thomas Smith, now knighted, and other London merchants and gentlemen who had been associated with Raleigh in his enterprise; and on December 19, 1606, Christopher Newport set sail with one hundred and forty-three immigrants and, on May 13th, settled Jamestown. The next year New-

port was directed to make an expedition to find Raleigh's Lost Colony.

THE FATE OF WHITE'S COLONISTS.

The colonists, warned by previous mishaps, certainly brought with them sufficient supplies to last until a crop would mature in the fall of 1588, and they did not neglect to begin their planting operations.

On his return White found no sign of any planting on Roanoke Island; nor was there evidence of any conflict with the savages—no graves, no butchery. The dwellings had been taken down and removed, and the light ordnance had been carried away. The growth of weeds indicated that two seasons had passed since the removal, and apparently the spot had not been revisited by the colonists in many months.

On his departure for England, the avowed intention was for the colonists to settle fifty miles in the interior; and when he coasted along Croatoan leisurely he observed no sign of their presence on the shore. Instead of establishing themselves on that barren sandbank, exposed to the attacks of the Spaniards, with no inviting streams, nor fertile fields, nor shady forests, they looked westward for a secure and agreeable location for their permanent settlement. Fifty miles would have brought them to the "goodly highlands, on the left hand between Muscamunge and Chowanoak," where the Indians already had fertile cornfields; and there, according to Indian statements of different sources, they appear to have seated themselves on what are now the pleasant bluffs of Bertie County.

Several vessels were at different times despatched to search for them; but none of these entered the great sounds. At length, after Jamestown was settled, Newport in 1608 was specially directed to make an exploration to discover them. An expedition by water did not proceed far and was without result. A searching party by land penetrated to the territory of the Chowanists and Mangoaks, but did not find the colonists.

Smith in his "True Relation" (1608) repeats information derived from the king of the Paspehegh Indians, who resided above Jamestown, to the effect that there were men apparelled like himself at Ochanahonan, which seems to have been on the Nottoway; and that there were many at Panawicke, a region apparently between the Chowan and Roanoke rivers. Five years later, William Strachey, the secretary of the Jamestown colony, gave some account of the missing colonists derived from Machumps, a friendly Indian of considerable intelligence, who had been to England and who came freely and often to Jamestown. At Peccarecamek and Ochanahonan, the Indians had houses built with stone walls, one story above another, having been taught by the English who escaped the slaughter at the time of the landing at Jamestown. And at Ritanoe there were preserved seven of the colonists, four men, two boys and a young maid, who having escaped, fled up the Chowan.

For more than twenty years the colonists were reported to have lived peaceably with the Indians and to have intermixed with them in their locality, beyond the territory of Powhatan; and then on the arrival of the colonists at Jamestown, Powhatan, persuaded by his bloody priests, procured their slaughter, he being present on the

occasion. Some escaped; but none ever had communication with the Jamestown settlers.

Peccarecamek was apparently on the upper Pamlico, or Tar River; and perhaps a trace of English blood might be found in the aggressiveness and fierceness of the Indians of that region a century later.

TRACES OF THE COLONISTS.

If others were preserved on the sandbanks, as they might well have been, escaping in their pinnace through the waters of the sound, a trace of them possibly came down to posterity through their intermixture with the Hatteras Indians. That small tribe had always been friendly with the whites; and as late as 1709, grey eyes were found among them and they cherished a friendship with the English because of their affinity, according to their own traditions. Yet there were other opportunities for an admixture of the races. Thirty-two men of Captain Raymond's company were among them twenty days before the arrival of Lane's colony, and the following summer Captain Stafford and twenty men were with them until Drake came in June, and doubtless others were stationed there the next year to keep watch for the expected return of White, until all hope had expired. Other than these possible traces no memorial has ever been discovered of the existence of the Lost Colony, whose mournful fate, involved in mystery, has ever been a fruitful theme of song and story.

EXHIBIT D.

NOTES OF LEDERER'S TRAVELS IN NORTH CAROLINA AND COMMENTS BY DR. HAWKS.

[Reprinted from Hawks' History of North Carolina, Vol. 2.]

No. VII.

EXTRACTS FROM THE DISCOVERIES OF JOHN LEDERER.

In three several Marches from Virginia to the west of Carolina, and other parts of the Continent; begun in March, 1669, and ended in September, 1670. Collected and translated out of Latin from his discourse and writings, by Sir William Talbot, Baronet. Printed in London, in 1672. [Reprinted from a copy in the author's library.]

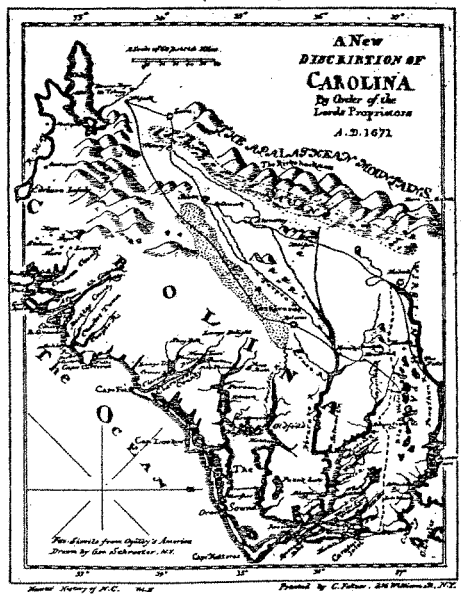
[John Lederer was a learned German, who lived in Virginia during the administration of Sir William Berkeley. Little was then known of the mountainous part of that State, or of what was beyond. Berkeley commissioned Lederer to make explorations, and accordingly he went upon three several expeditions. The first was from the head of York River due west to the Appalachian Mountains; the second was from the falls of James River west and southwest, and brought him into North Carolina, through several of the counties of which he travelled; the third was from the falls of the Rappahannock, westward, to the mountains.

Certain Englishmen were appointed by Berkeley to accompany him; these, however, forsook him and turned back. Lederer proceeded, notwithstanding, alone; and on his return to Virginia (which, by the way, was never expected), met with insult and reproaches, instead of the cordial welcome to which he was entitled. For this he was indebted to his English companions who had forsaken him; and so active were they in creating a prejudice against him, that he was not safe among the people of Virginia, who had been told that the public taxes of that year had all been expended in his wanderings.

Under these circumstances he went into Maryland, and there succeeded finally in obtaining a hearing from the governor, Sir William Talbot, and in submitting his papers to him. The governor, though at first much prejudiced against the man by the stories he had heard, yet found him, as he says, "a modest, ingenious person, and a pretty scholar;" and Lederer vindicated himself "with so convincing reason and circumstance," as Talbot says, that he quite removed all unfavorable impressions, and the governor himself took the trouble to translate from the Latin and publish Lederer's account of his journeyings.

A map of his explorations accompanies Talbot's translation, and by the aid of that we have endeavored to trace, as well as we could, the German's wanderings within the present boundaries of North Carolina.]

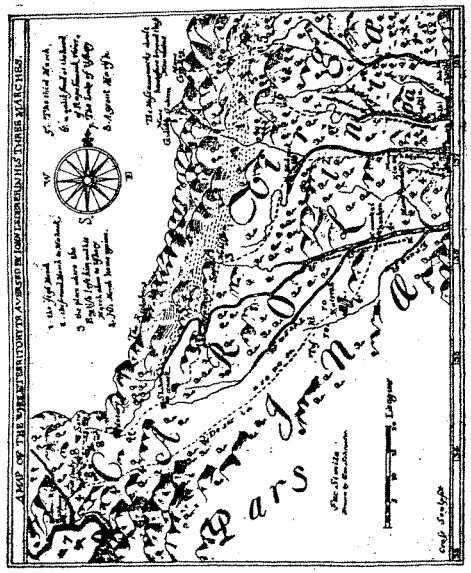
The twentieth of May, 1670, one Major Harris and myself, with twenty Christian horse and five Indians, marched from the falls of James River, in Virginia, towards the Monakins; and on the two-and-twentieth were welcomed by them with volleys of shot. Near this village we observed a pyramid of stones piled up together, which, their priests told us, was the number of an Indian colony drawn out



Ogilby's map of Carolina. From Hawks' History of North Carolina.

by lot from a neighbor country over-peopled, and led hither by one Monack, from whom they take the name of Monakin. Here inquiring the way to the mountains, an ancient man described, with a staff, two paths on the ground, one pointing to the *Mahocks*, and the other to the *Nahyssans*.

[The Mahocks, from Lederer's map, would appear to have been living near the dividing line of Nelson and Albemarle counties, at the junction of the Rockfish with the James River. The locality of the Nahyssans appears, from Robert Morden's map of Carolina (1687), and also from Ogilby's, to have been west of the Mahocks, between them and the first range of the mountains.]

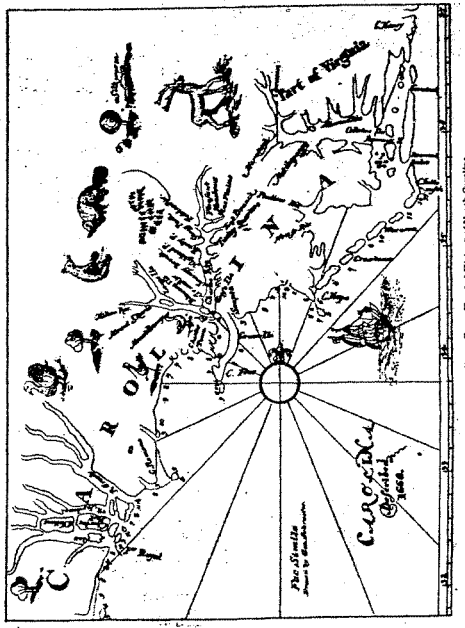


Lederer's map of Carolina, 1671. From Hawks' History of North Carolina.

But my English companions, slighting the Indian's direction, shaped their course by the compass due west; and therefore it fell out with us, as it does with those land-crabs that, crawling backwards in a direct line, avoid not the trees that stand in their way, but climbing over their very tops come down again on the other side, and so, after a day's labor, gain not above two feet of ground. Thus we, obstinately pursuing a due west course, rode over steep and craggy cliffs

which beat our horses quite off the hoof. In these mountains we wandered from the 25th of May till the 3d of June, finding very little sustenance for man or horse, for these places are destitute both of grain and herbage.

The third of June we came to the south branch of James River, which Major Harris, observing to run northwardly, vainly imagined



Herrn's map of Carolina. From Hawks' History of North Carolina.

to be an arm of the Lake of Canada, and was so transported with this fancy that he would have raised a pillar to the discovery, if the fear of the Mahock Indian and want of food had permitted him to stay. Here I moved to cross the river and march on; but the rest of the company were so weary of the enterprise, that, crying out, one and all,

they would have offered violence to me, had I not been provided with a private commission from the Governor of Virginia to proceed, though the rest of the company should abandon me—the sight of which laid their fury.

The lesser hills, or *Akontshuck*, are here impassable, being both steep and craggy. The rocks seemed to me, at a distance, to resemble eggs set up on end.

James River is here as broad as it is about a hundred miles lower, at Monakin; the passage over it is very dangerous by reason of the rapid torrents made by rocks and shelves forcing the water into narrow channels. From an observation which we made of straws and rotten chunks[1] hanging in the boughs of trees on the bank, and two-and-twenty feet above water, we argued that the melted snow falling from the mountains swelled the river to that height, the flood carrying down that rubbish which, upon the abatement of the inundation, remained in the trees.

The air in these parts was so moist that all our biscuits became mouldy and unfit to be eaten, so that some nicer stomachs, who, at our setting out, laughed at my provision of Indian-meal parched, would gladly now have shared with me; but I being determined to go upon further discoveries, refused to part with any of that which was to be my most necessary sustenance.

The fifth of June, my company and I parted, good friends, they back again, and I, with one Susquehanna Indian, named Jackzetavon, only, in pursuit of my first enterprise, changing my course from west to southwest and by south to avoid the mountains. Major Harris, in parting, gave me a gun, believing me a lost man, and given up as a prey to Indians or savage beasts, which made him the bolder to report strange things in his own praise and my disparagement, presuming I would never appear to disprove him. This, I suppose, and no other, was the cause that he did with so much industry procure me discredit and odium; but I have lost nothing by it but what I never studied to gain, which is popular applause.

From the fifth, which was Sunday, until the ninth of June, I travelled through difficult ways, without seeing any town or Indian, and then I arrived at Sapon, a town of the Nahyssans, about a hundred miles distant from Mahock, situate upon a branch of *Shawan*, alias *Rerenock* River.

[By *Shawan*, Lederer means Chowan, which he here confounds with Roanoke. On Morden's map (1687), and on Ogilby's (1671), the Chowan is called *Rokahak*, while the Moratoc or Roanoke is called *Noratoke*. The Staunton and the Dan form the latter river, and it was probably on some of the tributaries of the first-named stream he struck, perhaps on the Staunton itself, just before its junction with the Dan. He had changed his course, as he tells us, to S. W. by S., to avoid the mountains, and the only streams to which this course would bring him are the Staunton and its northern tributaries.]

And though I had just cause to fear these Indians, because they had been in continual hostility with the Christians for ten years before, yet presuming that the truck which I carried with me would procure

[1] This word is very generally used at the South, and means sometimes the end of small logs, partly burned, and then extinguished; and at others, as in this case, broken fragments of moderate size from decayed trees.

my welcome, I adventured to put myself into their power, having heard that they never offer any injury to a few persons, from whom they apprehend no danger; nevertheless they examined me strictly, whence I came, whither I went, and what my business was. But after I had bestowed some trifles of glass and metal amongst them, they were satisfied with reasonable answers, and I received with all imaginable demonstrations of kindness, as offering of sacrifice, a compliment showed only to such as they design particularly to honor; but they went further, and consulted their gods, whether they should not admit me into their nation and councils, and oblige me to stay among them by a marriage with the king's or some of their great men's daughters. But I, though with much ado, waived their courtesy, and got my passport, having given my word to return to them within six months.

Sapon is within the limits of the province of Carolina, and as you may perceive by the figure, has all the attributes requisite to a pleasant and advantageous seat; for, though it stands high and upon a dry land, it enjoys the benefit of a stately river and a rich soil, capable of producing many commodities, which may hereafter render the trade of it considerable.

[We must here remember that the dividing line between the present States of Virginia and Carolina was not then established as it is now recognized. From Lederer's map, it appears that all that part of Virginia lying south of James River, and extending as far westward as the Blue Ridge, was considered by him as part of Carolina, and is so designated on his map. Sapon, however, would appear from his map to have been in North Carolina, or just beyond the present boundary, in Virginia. Morden places it just south of the dividing line, in Carolina, on the upper waters of what we call the Roanoke. It was the chief town of the Nahyssans.]

Not far distant from hence, as I understood from the Nahyssan Indians, is their king's residence, called *Pintahœ*, upon the same river, and happy in the same advantages both for pleasure and profit, which my curiosity would have led me to see, were I not bound, both by oath and commission, to a direct pursuance of my intended purpose of discovering a passage to the further side of the mountains. This nation is governed by an absolute monarch; the people of a high stature, warlike, and rich. I saw great store of pearl unbored in their little temples or oratories, which they had won, amongst other spoils, from the Indians of Florida, and hold in as great esteem as we do.

From hence, by the Indians' instructions, I directed my course to *Akenatzy*, an island bearing south and by west, and about fifty miles distant, upon a branch of the same river, from Sapon.

[This island *Akenatzy* is possibly what is found on Lawson's map of 1709, under the name of *Aconeche*, in the Roanoke River.]

The country here, though high, is level, and for the most part a rich soil, as I judged by the growth of the trees; yet where it is inhabited by Indians it lies open in spacious plains, and is blessed with a very healthful air, as appears by the age and vigor of the people; and though I travelled in the month of June, the heat of the weather hindered me not from riding at all hours without any great annoyance from the sun. By easy journeys I landed at *Akenatzy* upon the twelfth of June. The current of the river is here so strong that my

horse had much difficulty to resist it, and I expected every step to be carried away with the stream.

This island, though small, maintains many inhabitants, who are fixed here in great security, being naturally fortified with fastnesses of mountains, and water on every side. Upon the north shore they yearly reap great crops of corn, of which they always have a twelve-month's provision aforehand, against an invasion from their powerful neighbors. Their government is under two kings, one presiding in arms, the other in hunting and husbandry. They hold all things, except their wives, in common; and their custom in eating is, that every man, in his turn, feasts all the rest, and he that makes the entertainment is seated betwixt the two kings, when, having highly commended his own cheer, they carve and distribute it among the guests.

At my arrival here I met four stranger Indians, whose bodies were painted in various colors with figures of animals whose likenses I had never seen; and by some discourse and signs which passed between us, I gathered that they were the only survivors of fifty who set out together in company from some great island, as I conjecture, to the northwest; for I understood that they crossed a great water, in which most of their party perished by tempest, the rest dying in the marshes and mountains by famine and hard weather, after a two months' travel by land and water in quest of this island of *Akenatzy*.

The most reasonable conjecture that I can frame out of this relation is, that these Indians might come from the island of *New Albion* or *California*, from whence we may imagine some great arm of the Indian Ocean or bay stretches into the continent towards the *Apalatzan* Mountains in the nature of a midland sea, in which many of these Indians might have perished. To confirm my opinion in this point, I have heard several Indians testify that the nation of *Rickohockans*, who dwell not far to the westward of the *Apalatzan* Mountains, are seated upon a land, as they term it, of great waves—by which, I suppose, they mean the sea-shore.

[However reasonable this conjecture may have appeared at the time to Lederer, with such geographical knowledge as was then possessed, we think, if we mistake not the locality in which the German then was, a much more reasonable supposition can be formed by us at this day. He was on an island in the Roanoke River, and, as we think, in that part of the river that flows between Halifax and Northampton counties. The four Indians had probably come from the northeast or east, and the great water they crossed was nothing more than the Sound, for their whole journey had occupied a space of time much too short for a travel from any great body of water to the west or northwest. If, however, they came from the northwest, it must have been from the borders of the great lakes, which, we think, was the land of the *Rickohockans*, whom he mentions in the next paragraph as *distinct* from these four Indians. He entertained, it will be observed, an opinion very common at that day, that the Gulf of Mexico extended northwardly into the continent much further than it does, and he had a very imperfect conception of the entire breadth of the continent.]

The next day after my arrival at *Akenatzy*, a *Rickohockan* ambassador, attended by five Indians whose faces were colored with *auri-*

received, and that night invited to a ball, of their fashion; but in the height of their mirth and dancing, by a smoke contrived for that purpose, the room was suddenly darkened, and, for what cause I know not, the Rickohockan and his retinue barbarously murdered. This struck me with such an affrightment, that the very next day, without taking my leave of them, I slunk away with my Indian companion. Though the desire of informing myself further concerning some minerals, as *auripigmentum*, &c., which I there took especial notice of, would have persuaded me to stay longer among them, had not the bloody example of their treachery to the Rickohockans frightened me away.

The fourteenth of June, pursuing a south southwest course, sometimes by a beaten path and sometimes over hills and rocks, I was forced to take up my quarters in the woods; for though the *Oenock* Indians, whom I then sought, were not, in a direct line, above thirty odd miles distant from *Akenatzy*, yet the ways were such, and obliged me to go so far about, that I reached not *Oenock* until the sixteenth.

[We are not without knowledge of the locality of the *Ohanoaks*. They were in the present county of Bertie, on its eastern side (see vol. i., p. 113). It would, therefore, seem that Lederer travelled down from Northampton, on the eastern side of the Roanoke into Bertie, towards the Chowan.]

The country here, by the industry of these Indians, is very open, and clear of wood. Their town is built round a field, where, in their sports, they exercise with so much labor and violence and in so great numbers, that I have seen the ground wet with the sweat that dropped from their bodies. Their chief recreation is slinging of stones.

Fourteen miles west-southwest of the *Oenocks* dwell the *Shackory* Indians, upon a rich soil, and yet abounding in antimony, of which they showed me considerable quantities. Finding them agree with the *Oenocks* in customs and manners, I made no stay there, but passing through their town I travelled till the nineteenth of June, and then, after a two days' troublesome journey through thickets and marsh-grounds, I arrived at *Watary*, above forty miles distant, and bearing west-southwest to *Shakor*.

I departed from *Watary* the one-and-twentieth of June, and keeping a west course for near thirty miles I came to *Sara*. Here I found the ways more level and easy. I did likewise, to my no small admiration, find hard cakes of white salt among them; but whether they were made of sea-water or taken out of salt-pits I know not, but am apt to believe the latter, because the sea is so remote from them.

From *Sara* I kept a south-southwest course until the five-and-twentieth of June, and then I reached *Wisacky*. This three days' march was more troublesome to me than all my travels besides, for the direct way which I took from *Sara* to *Wisacky* is over a continued marsh overgrown with reeds, from whose roots spring knotty stumps, as hard and sharp as flint. I was forced to lead my horse most part of the way, and wonder that he was not either plunged in the bogs or lamed by those rugged knots.

This nation is subject to a neighbor king residing upon the bank of a great lake called *Ushery*, environed of all sides with mountains and *Wisacky* marsh.

The six-and-twentieth of June, having crossed a fresh river which runs into the lake of Ushery, I came to the town, which was more

populous than any I had seen before in my march. The king dwells some three miles from it, and therefore I had no opportunity of seeing him the two nights which I stayed there. This prince, though his dominions are large and populous, is in continual fear of the *Oustack* Indians, seated on the opposite side of the lake, a people so addicted to arms that even their women come into the field and shoot arrows over their husbands' shoulders, who shield them with leathern targets.

The water of *Ushery* Lake seemed to my taste a little brackish, which I rather impute to some mineral waters which flow into it, than to any saltness it can take from the sea, which we may reasonably suppose is a great way from it. Many pleasant rivulets fall into it, and it is stored with great plenty of excellent fish. I judged it to be about ten leagues broad, for were not the other shore very high it could not be discerned from *Ushery*. How far this lake tends westwardly, or where it ends, I could neither learn nor guess.

[It is difficult to determine what lake it is that Lederer calls *Ushery;* it was, however, in the midst of extensive swampy lands, or, as he terms them, marsh. We have such lands in Bertie, Martin, Beaufort, Washington, Tyrrel, and Hyde counties, and particularly in the three last named, where such lands, reclaimed, form some of our richest plantations. Was he somewhere in this region of swamp lands? The only lakes, however, of much importance are Lake Phelps and Matamuskeet Lake. If he were on the eastern side of the Roanoke, he could not have reached these without crossing the river, and yet his itinerary mentions no such crossing. Neither are we aided by the name he gives to the Indians on the opposite side of the lake: we know of no tribe called *Oustack* Indians. The nearest approach to it is *Newsiok*, on the waters of Neuse, and not on any lake. If, when he left the island *Akenatzy* in the Roanoke, he crossed to the *western* bank of the river, he might have found swampy lands in Martin, Beaufort, and Washington counties, supposing him to have been wandering towards *Hyde;* but how then would he have passed through the region of the *Ohanoaks*, which was certainly in Bertie? Beside, Matamuskeet, if that be the lake referred to, was not called *Ushery* by the natives. Its Indian name was *Paquipe*. If we suppose Lake Phelps to be meant, how shall we reconcile such a conjecture with the size he gives? Lake Phelps, we think, is not thirty miles broad. We believe him to have been somewhere in the region of marshy lands we have named; but as to Lake *Ushery*, we freely confess we cannot fix its locality. Col. Byrd says that the Indians living *on the Santee River* were called the Usheries.]

Here I made a day's stay to inform myself further in these countries; and understood both from the *Usheries* and some *Sara* Indians that came to trade with them, that two days' journey and a half from hence to the southwest, a powerful nation of bearded men were seated, which I suppose to be the Spaniards, because the Indians never have any, it being a universal custom among them to prevent their growth by plucking the young hair out by the roots.

[Lederer made his journey in 1669–70, and may be correct in supposing the bearded men to be Spaniards; but at that date there was a settlement of Englishmen that would answer the description here given. The settlers on the Cape Fear from Barbadoes commenced their colony in 1664, and these may have been the bearded men referred to. He is in error, however, as to the distance of the bearded men from the Indians. It was more than a journey of two days and a half.]

Not thinking fit to proceed further, the eight-and-twentieth of June I faced about and looked homewards. To avoid *Wisacky* marsh I shaped my course northeast; and after three days' travel over hilly ways, where I met with no path or road, I fell into a barren, sandy desert, where I suffered miserably for want of water,—the heat of summer having drunk all the springs dry, and left no sign of any, but the gravelly channels in which they run: so that if now and then I had not found a standing pool, which provident nature set round with shady oaks, to defend it from the ardor of the sun, my Indian companion, horse, and self had certainly perished with thirst. In this distress we travelled till the twelfth of July, and then found the head of a river, which afterwards proved *Eruco;* in which we received, not only the comfort of a necessary and seasonable refreshment, but likewise the hopes of coming into a country again, where we might find game for food at least, if not discover some new nation or people. Nor did our hopes fail us; for after we had crossed the river twice, we were led by it, upon the fourteenth of July, to the town of *Katearas*, a place of great Indian trade and commerce, and chief seat of the haughty emperor of the *Taskiroras*, called *Kaskusara*, vulgarly called *Kaskous*. His grim majesty, upon my first appearance, demanded my gun and shot, which I willingly parted with, to ransom myself out of his clutches; for he was the most proud, imperious barbarian that I met with in all my marches. The people here at this time seemed prepared for some extraordinary solemnity; for the men and the women of better sort had decked themselves very fine with pieces of bright copper in their hair and ears and about their arms and necks, which upon festival occasions they use as an extraordinary bravery: by which it would seem this country is not without rich mines of copper. But I durst not stay to inform myself in it, being jealous of some sudden mischief towards me from *Kaskous*, his nature being bloody, and provoked upon any slight occasion.

Therefore, leaving *Katearas*, I travelled through the woods until the sixteenth, upon which I came to *Kawitziokan*, an Indian town upon a branch of *Rorenoke* River, which here I passed over, continuing my journey to *Mencherink;* and on the seventeenth departing from thence, I lay all night in the woods, and the next morning betimes going by *Natoway*, I reached that evening *Apamatuck*, in Virginia, where I was not a little overjoyed to see Christian faces again.

[From Lederer's account, the conjecture that seems most probable is, that taking a course southwest and by south from the falls of James River, he came upon the Roanoke in North Carolina, and crossed it at the island which he calls *Akenatzy*, if he crossed it at all. This island is between Halifax and Northampton, I apprehend. His wandering then took him into some of those counties where our swamp lands are most abundant, and he certainly was in Bertie, from which, pursuing a northeast course, he returned to Virginia, and crossing the Nottoway, proceeded to the Appomatox, which he followed to its junction with the James. The distances he gives, added together, after his entrance into North Carolina, would make his wanderings in our State some two hundred miles; and as he was among

the *Ohanoaks* and *Tuscaroras*, he was certainly in Bertie. He, however, was not the first European who had seen that land. Eighty-five years before, the hardy adventurers under Lane had placed their feet upon it; though their inland explorations were much less extensive than those of Lederer. It is proper, however, to add, that from the localities he names, as they appear on Ogilby's map (1671), which we subjoin to this account, his wanderings would appear to have been much more extensive than we have made them. *Watery*, *Sara*, *Wisacki*, and *Ushery* would all appear to have been in South Carolina, the last directly west of Charleston. If he made this journey, then, entering the State somewhere in Warren county, he must have crossed it in a southwestern line, and passing through Robeson county into South Carolina, must have traversed that State also in its entire width. We cannot believe this. The time occupied would not have been sufficient for it. Lederer's itinerary presents difficulties which we confess we cannot satisfactorily solve.

On the map of Lederer, as well as on that of Ogilby, both of which we subjoin, the reader will perceive a river named *Torpæo*. This is erroneously made to empty into the Roanoke. A comparison of its position with other localities shows it to have been what is commonly, though improperly, called the *Tar* River. Its name is not Tar, though Col. Byrd called it by that name more than one hundred years ago. Others have supposed its original Indian name to be *Taw* or *Tau*, which Williamson, with his customary dogmatism, ignorantly states meant "Health." It never had such a meaning in any dialect of the Algonquin or Iroquois that we have met with—and these were the two mother languages of the Indians of the eastern side of North Carolina—nor was there any such Indian word, as far as we can discover; though such a *syllable*, formed from an Indian word, is found in the composition of Indian words, according to the known polythiseticism of our Indian tongues. But the river was, notwithstanding, called *Taw*, for we find (as I am informed by a friend [1]) that name applied in a patent of 1729. Wheeler, Simms, Emmons, and Cook, all modern authorities, repudiating "Tar," call it "*Tau*." Mr. Clark thinks that, from analogy, it should be written Taw, and cites the names *Haw*, Catawba, Chicka*saw*, Choc*taw*, where the syllable terminates with *w*. But the fact is, that in the orthography of Indian names and words, it is important to know to what country the individual belonged who first wrote them down for the eye of civilized man; otherwise the pronunciation may be mistaken. For ourselves, while we are quite sure the river's true name never was Tar, we doubt whether Taw is the original word. Words of one syllable are exceedingly rare in the Indian languages, and especially in the names of *places*. They are almost invariably compounds. Its Indian name was *Torpæo*, and we think it should be so called now. Taw is but a corruption of the first syllable *Tor*. We have tried in vain to discover the meaning of the compound Tor-pæo.]

[1] H. T. Clark, Esq., of Edgecombe.

EXHIBIT E.

LAWSON'S HISTORY OF CAROLINA.

The history of Carolina; containing the exact description and natural history of that country; together with the present state thereof. And a journal of a thousand miles, travel'd thro' several nations of Indians, giving a particular account of their customs, manners, &c. By John Lawson, Gent. Surveyor-General of North Carolina. London: Printed for T. Warner, at the Black-Boy in Pater-Noster Row, 1718. Price bound five shillings.

To His Excellency WILLIAM Lord CRAVEN, Palatine; The most Noble, HENRY Duke of BEAUFORT; The Right Honble JOHN Lord CARTERET; The Honble MAURICE ASHLEY, Esq; Sir JOHN COLLETON, Baronet, JOHN DANSON, Esq; And the rest of the True and Absolute Lords-Proprietors of the Province of *Carolina in America*.

MY LORDS, As Debts of Gratitude ought most punctually to be paid, so, where the Debtor is uncapable of Payment, Acknowledgments ought, at least, to be made. I cannot, in the least, pretend to retaliate *Your Lordships* Favours to me, but must farther intrude on that Goodness of which I have already had so good Experience, by laying these Sheets at *Your Lordships* Feet, where they beg Protection, as having nothing to recommend them, but Truth; a Gift which every Author may be Master of, if he will.

I here present *Your Lordships* with a Description of your own Country, for the most part, in her Natural Dress, and therefore less vitiated with Fraud and Luxury. A Country, whose Inhabitants may enjoy a Life of the greatest Ease and Satisfaction, and pass away their Hours in solid Contentment.

Those Charms of *Liberty* and *Right*, the Darlings of an *English* Nature, which *Your Lordships* grant and maintain, make you appear Noble Patrons in the Eyes of all Men, and we a happy People in a Foreign Country; which nothing less than Ingratitude and Baseness can make us disown.

As Heaven has been liberal in its Gifts, so are *Your Lordships* favourable Promoters of whatever may make us an easy People; which, I hope, *Your Lordships* will continue to us and our Posterity; and that we and they may always acknowledge such Favours, by banishing from among us every Principle which renders Men factious and unjust, which is the hearty Prayer of,

MY LORDS, *Your Lordships most obliged, most humble, and most devoted Servant*,

JOHN LAWSON.

PREFACE.

'TIS *a great Misfortune, that most of our Travellers, who go to this vast Continent in* America, *are Persons of the meaner Sort, and generally of a very slender Education; who being hir'd by the Merchants, to trade amongst the* Indians, *in which Voyages they often spend several Years, are yet, at their Return, uncapable of giving any reasonable Account of*

what they met withal in those remote Parts; tho' the Country abounds with Curiosities worthy a nice Observation. In this Point, I think, the French *outstrip us.*

First, *By their Numerous Clergy, their Missionaries being obedient to their Superiors in the highest Degree, and that Obedience being one great Article of their Vow, and strictly observ'd amongst all their Orders.*

Secondly, *They always send abroad some of their Gentlemen in Company of the Missionaries, who, upon their Arrival, are order'd out into the Wilderness, to make Discoveries, and to acquaint themselves with the Savages of* America; *and are oblig'd to keep a strict Journal of all the Passages they meet withal, in order to present the same not only to their Governors and Fathers, but likewise to their Friends and Relations in* France; *which is industriously spread about that Kingdom, to their Advantage. For their Monarch being a very good Judge of Mens Deserts, does not often let Money or Interest make men of Parts give Place to others of less Worth. This breeds an Honourable Emulation amongst them, to outdo one another, even in Fatigues, and Dangers whereby they gain a good Correspondence with the* Indians, *and acquaint themselves with their Speech and Customs; and so make considerable Discoveries in a short time. Witness, their Journals from* Canada, *to the* Missisipi, *and its several Branches, where they have effected great Matters, in a few Years.*

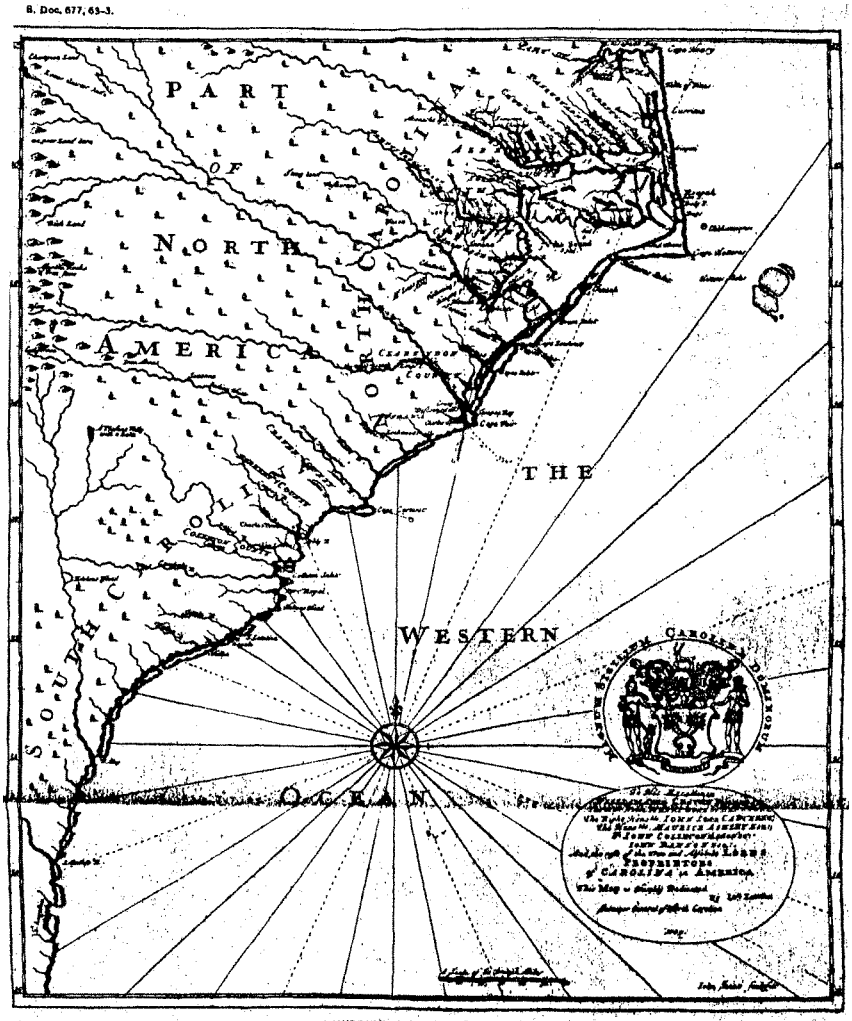
Having spent most of my time, during my eight Years Abode in Carolina, *in travelling; I not only survey'd the Sea-Coast and those Parts which are already inhabited by the Christians, but likewise view'd a spatious Tract of Land, lying betwixt the Inhabitants and the Ledges of Mountains, from whence our noblest Rivers have their Rise, running towards the Ocean, where they water as pleasant a Country as any in* Europe; *the Discovery of which being never yet made publick, I have, in the following Sheets, given you a faithful Account thereof, wherein I have laid down every thing with Impartiality, and Truth, which is indeed, the Duty of every* Author, *and preferable to a smooth stile, accompany'd with Falsities and Hyperboles.*

Great Part of this pleasant and healthful Country is inhabited by none but Savages, who covet a Christian Neighborhood, for the Advantage of Trade, and enjoy all the Comforts of Life, free from Care and Want.

But not to amuse my Readers any longer with the Encomium of Carolina, *I refer 'em to my* Journal, *and other more particular Description of that Country and its Inhabitants, which they will find after the* Natural History *thereof, in which I have been very exact, and for Method's sake, rang'd each Species under its distinct and proper Head.*

* * * * * * *

Friday.—The next day, we were preparing for our Voyage, and baked some Bread to take along with us. Our Landlord was King of the *Kadapau Indians*, and always kept two or three trading Girls in his Cabin. Offering one of these to some of our Company, who refused his Kindness, his Majesty flew into a violent Passion, to be thus slighted, telling the *Englishmen*, they were good for nothing. Our old Gamester, particularly, hung his Ears at the Proposal, having too lately been a Loser by that sort of Merchandise. It was observable, that we did not see one Partridge from the *Waterrees* to this place, tho' my Spaniel-Bitch, which I had with me in this Voyage, had put up a great many before.



LAWSON'S MAP OF THE CAROLINAS.

Saturday.—On *Saturday* Morning, we all set out for *Sapona*, killing, in these Creeks, several Ducks of a strange Kind, having a red Circle about their Eyes, like some Pigeons that I have seen, a Top-knot reaching from the Crown of their Heads, almost to the middle of their Backs, and abundance of Feathers of pretty Shades and Colours. They prov'd excellent Meat. Likewise, here is good store of Woodcocks, not so big as those in *England*, the Feathers of the Breast being of a Carnation-Colour, exceeding ours for Delicacy of Food. The Marble here is of different Colours, some or other of the Rocks representing most Mixtures, but chiefly the white having black and blue Veins in it, and some that are red. This day, we met with seven heaps of Stones, being the Monuments of seven *Indians*, that were slain in that place by the *S'nnagers*, or *Troquois*. Our *Indian* Guide added a Stone to each heap. We took up our Lodgings near a Brook-side, where the *Virginia* Man's Horses got away; and went back to the *Kadapau's*.

Sunday.—This day, one of our Company, with a *Sapona Indian*, who attended *Stewart*, went back for the Horses. In the mean time, we went to shoot Pigeons, which were so numerous in these Parts, that you might see many Millions in a Flock; they sometimes split off the Limbs of stout Oaks, and other Trees, upon which they roost o' Nights. You may find several *Indian* Towns, of not above 17 Houses, that have more than 100 Gallons of Pigeons Oil, or Fat; they using it with Pulse, or Bread, as we do Butter, and making the Ground as white as a sheet with their Dung. The *Indians* take a Light, and go among them in the Night, and bring away some thousands, killing them with long Poles, as they roost in the Trees. At this time of the Year, the Flocks, as they pass by, in great measure, obstruct the Light of the day.

Monday.—On *Monday*, we went about 25 Miles, travelling through a pleasant dry Country, and took up our Lodgings by a Hillside, that was one entire Rock, out of which gush'd out pleasant Fountains of well-tasted Water.

Tuesday.—The next day, still passing along such Land as we had done for many days before, which was, Hills and Vallies, about 10 a Clock we reach'd the Top of one of these Mountains, which yielded us a fine Prospect of a very level Country, holding so, on all sides, farther than we could discern. When we came to travel through it, we found it very stiff and rich, being a sort of Marl. This Valley afforded as large Timber as any I ever met withal, especially of Chesnut Oaks, which render it an excellent Country for raising great Herds of Swine. Indeed, were it cultivated, we might have good hopes of as pleasant and fertile a Valley, as any our *English* in *America* can afford. At Night, we lay by a swift Current, where we saw plenty of Turkies, but perch'd upon such lofty Oaks, that our Guns would not kill them, tho' we shot very often, and our Guns were very good. Some of our Company shot several times, at one Turkey, before he would fly away, the Pieces being loaded with large Goose-shot.

Wednesday.—Next Morning, we got our Breakfast; roasted Acorns being one of the Dishes. The *Indians* beat them into Meal, and thicken their Venison-Broth with them; and oftentimes make a palatable Soop. They are used instead of Bread, boiling them till the Oil swims on the top of the Water, which they preserve for use,

eating the Acorns with Flesh-meat. We travell'd, this day, about 25 Miles, over pleasant *Savanna* Ground, high, and dry, having very few Trees upon it, and those standing at a great distance. The Land was very good, and free from Grubs or Underwood. A Man near *Sapona* may more easily clear 10 Acres of Ground, than in some places he can one; there being much loose Stone upon the Land, lying very convenient for making of dry Walls, or any other sort of durable Fence. This Country abounds likewise with curious bold Creeks, (navigable for small Craft) disgorging themselves into the main Rivers, that vent themselves into the Ocean. These Creeks are well stor'd with sundry sorts of Fish, and Fowl, and are very convenient for the Transportation of what Commodities this Place may produce. This Night, we had a great deal of Rain, with Thunder and Lightning.

Thursday.—Next Morning it proving delicate Weather, three of us separated ourselves from the Horses, and the rest of the Company, and went directly for *Sapona* Town. That day, we pass'd through a delicious Country, (none that I ever saw exceeds it.) We saw fine bladed Grass, six Foot high, along the Banks of these pleasant Rivulets: We pass'd by the Sepulchres of several slain *Indians*. Coming, that day, about 30 Miles, we reach'd the fertile and pleasant Banks of *Sapona* River, whereon stands the *Indian* Town and Fort. Nor could all *Europe* afford a pleasanter Stream, were it inhabited by *Christians*, and cultivated by ingenious Hands. These *Indians* live in a clear Field, about a Mile square, which they would have sold me; because I talked sometimes of coming into those Parts to live. This most pleasant River may be something broader than the *Thames* at *Kingston*, keeping a continual pleasant warbling Noise, with its reverberating on the bright Marble Rocks. It is beautified with a numerous Train of Swans, and other sorts of Water-Fowl, not common, though extraordinary pleasing to the Eye. The forward Spring welcom'd us with her innumerable Train of small Choristers, which nhabit those fair Banks; the Hills redoubling, and adding Sweetness to their melodious Tunes by their shrill Echoes. One side of the River is hemm'd in with mountainy Ground, the other side proving as rich a Soil to the Eye of a knowing Person with us, as any this Western World can afford. We took up our Quarters at the King's Cabin, who was a good Friend to the *English*, and had lost one of his Eyes in their Vindication. Being upon his march towards the *Appallache* Mountains, amongst a Nation of *Indians* in their Way, there happen'd a Difference, while they were measuring of Gunpowder; and the Powder, by accident, taking fire, blew out one of this King's Eyes, and did a great deal more mischief, upon the spot: Yet this *Sapona* King stood firmly to the *English* Man's Interest, with whom he was in Company, still siding with him against the *Indians*. They were intended for the *South Sea*, but were too much fatigued by the vast Ridge of Mountains, tho' they hit the right Passage; it being no less than five days Journey through a Ledge of Rocky Hills, and sandy Desarts. And which is yet worse, there is no Water, nor scarce a Bird to be seen, during your Passage over these barren Crags and Valleys. The *Sapona* River proves to be the *West* Branch of *Cape-Fair*, or *Clarendon* River, whose Inlet, with other Advantages, makes it appear as noble a River to plant a Colony in, as any I have met withal.

The *Saponas* had (about 10 days before we came thither) taken Five Prisoners of the *Sinnagers* or *Jennitos*, a Sort of People that range several thousands of Miles, making all Prey they lay their Hands on. These are fear'd by all the savage Nations I ever was among, the Westward *Indians* dreading their Approach. They are all forted in, and keep continual Spies and Out-Guards for their better Security. Those Captives they did intend to burn, few Prisoners of War escaping that Punishment. The Fire of Pitch-Pine being got ready, and a Feast appointed, which is solemnly kept at the time of their acting this Tragedy, the Sufferer has his Body stuck thick with Light-Wood-Splinters, which are lighted like so many Candles, the tortur'd Person dancing round a great Fire, till his Strength fails, and disables him from making them any farther Pastime. Most commonly, these Wretches behave themselves (in the Midst of their Tortures) with a great deal of Bravery and Resolution, esteeming it Satisfaction enough, to be assur'd, that the same Fate will befal some of their Tormentors, whensoever they fall into the Hands of their Nation. More of this you will have in the other Sheets.

The *Toteros*, a neighbouring Nation, came down from the Westward Mountains, to the *Saponas*, desiring them to give them those Prisoners into their Hands, to the Intent they might send them back into their own Nation, being bound in Gratitude to be serviceable to the *Sinnagers*, since not long ago, those Northern-*Indians* had taken some of the *Toteros* Prisoners, and done them no Harm, but treated them civilly whilst among them, sending them, with Safety, back to their own People, and affirming, that it would be the best Method to preserve Peace on all Sides. At that, time these *Toteros*, *Saponas*, and the *Keyauwees*, 3 small Nations, were going to live together, by which they thought they should strengthen themselves, and become formidable to their Enemies. The Reasons offer'd by the *Toteros* being heard, the *Sapona* King, with the Consent of his Counsellors, deliver'd the *Sinnagers* up to the *Toteros*, to conduct them home.

Friday Morning, the old King having shew'd us 2 of his Horses, that were as fat, as if they had belong'd to the *Dutch* Troopers, left us, and went to look after his Bever-Traps, there being abundance of those amphibious Animals in this River, and the Creeks adjoining. Taken with the Pleasantness of the Place, we walk'd along the River-side, where we found a very delightful island, made by the River, and a Branch; there being several such Plots of Ground environ'd with this Silver Stream, which are fit Pastures for Sheep, and free from any offensive Vermin. Nor can any thing be desired by a contented Mind, as to a pleasant Situation, but what may here be found; Every Step presenting some new Object, which still adds Invitation to the Traveller in these Parts. Our *Indian* King and his Wife entertain'd us very respectfully.

Saturday. Jan. 31.—On *Saturday*, the *Indians* brought in some Swans, and Geese, which we had our Share of. One of their Doctors took me to his Cabin, and shew'd me a great Quantity of medicinal Drugs, the Produce of those Parts; Relating their Qualities as to the Emunctories they work'd by, and what great Maladies he had heal'd by them. This Evening, came to us the Horses, with the Remainder of our Company, their *Indian* Guide (who was a Youth of this Na-

tion) having kill'd in their Way, a very fat Doe, Part of which they brought to us.

Sunday.—This day, the King sent out all his able Hunters, to kill Game for a great Feast, that was to be kept at their Departure, from the Town, which they offer'd to sell me for a small matter. That Piece of Ground, with a little Trouble, would make an *Englishman* a most curious Settlement, containing above a Mile square of rich Land. This Evening, came down some *Toteros*, tall, likely Men, having great Plenty of Buffeloes, Elks, and Bears, with other sort of Deer amongst them, which strong Food makes large, robust Bodies. Enquiring of them, if they never got any of the *Bezoar* Stone, and giving them a Description how it was found, the *Indians* told me, they had great plenty of it; and ask'd me, What use I could make of it? I answer'd them, That the white Men us'd it in Physick, and that I would buy some of them, if they would get it against I came that way again. Thereupon, one of them pull'd out a Leather-Pouch, wherein was some of it in Powder; he was a notable Hunter, and affirm'd to me, That that Powder, blown into the Eyes, strengthen'd the Sight and Brain exceedingly, that being the most common Use they made of it. I bought, for 2 or 3 Flints, a large Peach-Loaf, made up with a pleasant sort of Seed; and this did us a singular Kindness, in our Journey. Near the Town, within their clear'd Land, are several *Bagnios*, or Sweating-Houses, made of Stone, in Shape like a large Oven: These they make much Use of; especially, for any Pains in the Joints, got by Cold, or Travelling. At Night, as we lay in our Beds, there arose the most violent N. W. Wind I ever knew. The first Puff blew down all the *Palisadoes* that fortify'd the Town; and I thought it would have blown us all into the River, together with the Houses. Our one-ey'd King, who pretends much to the Art of Conjuration, ran out in the most violent Hurry, and in the Middle of the Town, fell to his Necromantick Practice; tho' I thought he would have been blown away or kill'd, before the *Devil* and he could have exchang'd half a dozen Words; but in two Minutes, the Wind was ceas'd, and it became as great a Calm, as I ever knew in my Life. As I much admir'd at that sudden Alteration, the old Man told me, the *Devil* was very angry, and had done thus, because they had not put the *Sinnagers* to Death.

On *Monday* Morning, our whole Company, with the Horses, set out from the *Sapona-Indian* Town, after having seen some of the Locust, which is gotten thereabouts, the same Sort that bears Honey. Going over several Creeks, very convenient for Water-Mills, about 8 Miles from the Town, we pass'd over a very pretty River, call'd Rocky River, a fit Name, having a Ridge of high Mountains running from its Banks, to the Eastward; and disgorging itself into *Sapona*-River; so that there is a most pleasant and convenient Neck of Land, betwixt both Rivers, lying upon a Point, where many thousand Acres may be fenced in, without much Cost or Labour. You can scarce go a Mile, without meeting with one of these small swift Currents, here being no Swamps to be found, but pleasant, dry Roads all over the Country. The Way that we went this day, was as full of Stones, as any which *Craven*, in the West of *Yorkshire*, could afford, and having nothing but *Moggisons* on my Feet, I was so lam'd by this stony Way, that I thought I must have taken up some Stay in those Parts. We went, this day, not above 15 or 20

Miles. After we had supp'd, and all lay down to sleep, there came a Wolf close to the Fire-side, where we lay. My Spaniel soon discover'd him, at which, one of our Company fir'd a Gun at the Beast; but, I believe, there was a Mistake in the loading of it, for it did him no Harm. The Wolf stay'd till he had almost loaded again, but the Bitch making a great Noise, at last left us and went aside. We had no sooner laid down, but he approach'd us again, yet was more shy, so that we could not get a Shot at him.

Tuesday.—Next day, we had 15 Miles farther to the *Keyauwees*. The Land is more mountainous, but extremely pleasant, and an excellent Place for the breeding Sheep, Goats, and Horses; or Mules, if the *English* were once brought to the Experience of the Usefulness of those Creatures. The Valleys are here very rich. At Noon, we pass'd over such another stony River, as that eight Miles from *Sapona*. This is call'd *Heighwaree*, and affords as good blue Stone for Mill-Stones, as that from *Cologn*, good Rags, some Hones, and large Pebbles, in great abundance, besides Free-Stone of several Sorts, all very useful. I knew one of these Hones made use of by an Acquaintance of mine, and it prov'd rather better than any from *Old Spain*, or elsewhere. The Veins of Marble are very large and curious on this River, and the Banks thereof.

Five Miles from this River, to the N. W. stands the *Keyauwees* Town. They are fortify'd in, with wooden Puncheons, like *Sapona*, being a People much of the same Number. Nature hath so fortify'd this Town, with Mountains, that were it a Seat of War, it might easily be made impregnable; having large Corn-Fields joining to their Cabins, and a *Savanna* near the Town, at the Foot of these Mountains, that is capable of keeping some hundred Heads of Cattle. And all this environ'd round with very high Mountains, so that no hard Wind ever troubles these Inhabitants. Those high Clifts have no Grass growing on them, and very few Trees, which are very short, and stand at a great Distance one from another. The Earth is of a red Colour, and seems to me to be wholly design'd by Nature for the Production of Minerals, being of too hot a Quality, to suffer any Verdure upon its Surface. These *Indians* make use of Lead-Ore, to paint their Faces withal, which they get in the neighbouring Mountains. As for the refining of Metals, the *Indians* are wholly ignorant of it, being content with the *Realgar*. But if it be my Chance, once more to visit these Hilly Parts, I shall make a longer Stay amongst them: For were a good Vein of Lead found out, and work'd by an ingenious Hand, it might be of no small Advantage to the Undertaker, there being great Convenience for smelting, either by Bellows or Reverberation; and the Working of these Mines might discover some that are much richer.

At the Top of one of these Mountains, is a Cave that 100 Men may sit very conveniently to dine in; whether natural, or artificial, I could not learn. There is a fine Bole between this Place, and the *Saps*. These Valleys thus hemm'd in with Mountains, would (doubtless) prove a good place for propagating some sort of Fruits, that our Easterly Winds commonly blast. The Vine could not mis of thriving well here; but we of the Northern Climate are neither Artists, nor curious, in propagating that pleasant and profitable Vegetable. Near the Town, is such another Current, as *Heighwaree*. We being six in Company, divided ourselves into Two Parties; and it was my

Lot to be at the House of *Keyauwees Jack*, who is King of that People. He is a *Congeree-Indian*, and ran away when he was a Boy. He got this Government by Marriage with the Queen; the Female Issue carrying the Heritage, for fear of Impostors; the Savages well knowing, how much Frailty possesses the *Indian* Women, betwixt the Garters and the Girdle.

Wednesday.—The next day, having some occasion to write, the *Indian* King, who saw me, believ'd that he could write as well as I. Whereupon, I wrote a Word, and gave it him to copy, which he did with more Exactness, than any *European* could have done, that was illiterate. It was so well, that he who could read mine, might have done the same by his. Afterwards, he took great Delight in making Fish-hooks of his own Invention, which would have been a good Piece for an Antiquary to have puzzled his Brains withal, in tracing out the Characters of all the Oriental Tongues. He sent for several *Indians* to his Cabin, to look at his Handy-work, and both he and they thought, I could read his Writing as well as I could my own. I had a Manual in my Pocket, that had King *David's* Picture in it, in one of his private Retirements. The *Indian* ask'd me, Who that Figure represented? I told him, It was the Picture of a good King, that liv'd according to the Rules of Morality, doing to all as he would be done by, ordering all his Life to the Service of the Creator of all things; and being now above us all, in Heaven, with God Almighty, who had rewarded him with all the delightful Pleasures imaginable in the other World, for his Obedience to him in this; I concluded, with telling them, that we received nothing here below, as Food, Raiment, *&c.* but what came from that Omnipotent Being. They listned to my Discourse with a profound Silence, assuring me, that they believ'd what I said to be true. No Man living will ever be able to make these *Heathens* sensible of the Happiness of a future State, except he now and then mentions some lively carnal Representation, which may quicken their Apprehensions, and make them thirst after such a gainful Exchange; for, were the best Lecture that ever was preach'd by Man, given to an ignorant sort of People, in a more learned Style, than their mean Capacities are able to understand, the Intent would prove ineffectual, and the Hearers would be left in a greater Labyrinth than their Teacher found them in. But dispense the Precepts of our Faith according to the Pupil's Capacity, and there is nothing in our Religion, but what an indifferent Reason is, in some measure, able to comprehend; tho' a *New-England* Minister blames the *French* Jesuits for this way of Proceeding, as being quite contrary to a true Christian Practice, and affirms it to be no ready, or true Method, to establish a lively Representation of our Christian Belief amongst these Infidels.

All the *Indians* hereabouts carefully preserve the Bones of the Flesh they eat, and burn them, as being of Opinion, that if they omitted that Custom, the Game would leave their Country, and they should not be able to maintain themselves by their Hunting. Most of these *Indians* wear Mustachoes, or Whiskers, which is rare; by reason the *Indians* are a People that commonly pull the Hair of their Faces, and other Parts, up by the Roots, and suffer none to grow. Here is plenty of Cheanuts, which are rarely found in *Carolina*, and never near the Sea, or Salt-Water; tho' they are frequently in such Places in *Virginia*.

At the other House, where our Fellow Travellers lay, they had provided a Dish, in great Fashion amongst the *Indians*, which was Two young Fawns, taken out of the Doe's Bellies, and boil'd in the same slimy Bags Nature had plac'd them in, and one of the Country-Hares, stew'd with the Guts in her Belly, and her Skin with the Hair on. This new-fashion'd Cookery wrought Abstinence in our Fellow-Travellers, which I somewhat wonder'd at, because one of them made nothing of eating *Allegators*, as heartily as if it had been Pork and Turneps. The *Indians* dress most things after the Wood-cock Fashion, never taking the Guts out. At the House we lay at, there was very good Entertainment of Venison, Turkies, and Bears; and which is customary amongst the *Indians*, the Queen had a Daughter by a former Husband, who was the beautifullest *Indian* I ever saw, and had an Air of Majesty with her, quite contrary to the general Carriage of the *Indians*. She was very kind to the *English*, during our Abode, as well as her Father and Mother.

Thursday.—This Morning, most of our Company having some Inclination to go straight away for *Virginia*, when they left this Place; I and one more took our leaves of them, resolving (with God's Leave) to see *North-Carolina*, one of the *Indians* setting us in our way. The rest being indifferent which way they went, desired us, by all means, to leave a Letter for them, at the *Achonechy*-Town. The *Indian* that put us in our Path, had been a Prisoner amongst the *Sinnagers;* but had out-run them, although they had cut his Toes, and half his Feet away, which is a Practice common amongst them. They first raise the Skin, then cut away half the Feet, and so wrap the Skin over the Stumps, and make a present Cure of the Wounds. This commonly disables them from making their Escape, they being not so good Travellers as before, and the Impression of their Half-Feet making it easy to trace them. However, this Fellow was got clear of them, but had little Heart to go far from home, and carry'd always a Case of Pistols in his Girdle, besides a Cutlass, and a Fuzee. Leaving the rest of our Company at the *Indian*-Town, we travell'd, that day, about 20 Miles, in very cold, frosty Weather; and pass'd over two pretty Rivers, something bigger than *Heighwaree*, but not quite so stony. We took these two Rivers to make one of the Northward Branches of *Cape-Fair* River, but afterwards found our Mistake.

Friday.—The next day, we travell'd over very good Land, but full of Free-Stone, and Marble, which pinch'd our Feet severely. We took up our Quarters in a sort of *Savanna*-Ground, that had very few Trees in it. The Land was good, and had several Quarries of Stone, but not loose, as the others us'd to be.

Saturday.—Next Morning, we got our Breakfasts of Parch'd Corn, having nothing but that to subsist on for above 100 Miles. All the Pine-Trees were vanish'd, for we had seen none for two days. We pass'd through a delicate rich Soil this day; no great Hills, but pretty Risings, and Levels, which made a beautiful Country. We likewise pass'd over three Rivers this day; the first about the bigness of *Rocky* River, the other not much differing in Size. Then we made not the least Question, but we had pass'd over the North-West Branch of *Cape-Fair*, travelling that day above 30 Miles. We were much taken with the Fertility and Pleasantness of the Neck of Land between these two Branches, and no less pleas'd, that we had pass'd the River, which us'd to frighten Passengers from fording it. At last, deter-

mining to rest on the other side of a Hill, which we saw before us; when we were on the Top thereof, there appear'd to us such another delicious, rapid Stream, as that of *Sapona*, having large Stones, about the bigness of an ordinary House lying up and down the River. As the Wind blew very cold at N.W. and we were very weary, and hungry, the Swiftness of the Current gave us some cause to fear; but, at last, we concluded to venture over that Night. Accordingly, we stripp'd, and with great Difficulty, (by God's Assistance) got safe to the North-side of the famous *Hau*-River, by some called *Rearkin;* the *Indians* differing in the Names of Places, according to their several Nations. It is call'd *Hau*-River, from the *Sissipahau Indians*, who dwell upon this Stream, which is one of the main Branches of *Cape-Fair*, there being rich Land enough to contain some Thousands of Families; for which Reason, I hope, in a short time, it will be planted. This River is much such another as *Sapona;* both seeming to run a vast way up the Country. Here is plenty of good Timber, and especially, of a Scaly-bark'd Oak; And as there is Stone enough in both Rivers, and the Land is extraordinary Rich, no Man that will be content within the Bounds of Reason, can have any grounds to dislike it. And they that are otherwise, are the best Neighbours, when fartheest off.

Sunday.—As soon as it was day, we set out for the *Achonechy*-Town, it being, by Estimation, 20 Miles off, which, I believe, is pretty exact. We were got about half way, (meeting great Gangs of Turkies) when we saw, at a Distance, 30 loaded Horses, coming on the Road, with four or five Men, on other Jades, driving them. We charg'd our Piece, and went up to them: Enquiring, whence they came from? They told us, from *Virginia*. The leading Man's Name was *Massey*, who was born about *Leeds* in *Yorkshire*. He ask'd, from whence we came? We told him. Then he ask'd again, Whether we wanted any thing that he had? telling us, we should be welcome to it. We accepted Two Wheaten Biskets, and a little Ammunition. He advised us, by all means, to strike down the Country for *Ronoack*, and not think of *Virginia*, because of the *Sinnagers*, of whom they were afraid, tho' so well arm'd, and numerous. They persuaded us also, to call upon one *Enoe Will*, as we went to *Adshusheer*, for that he would conduct us safe among the *English*, giving him the Character of a very faithful *Indian*, which we afterwards found true by Experience. The *Virginia*-Men asking our Opinion of the Country we were then in? we told them, it was a very pleasant one. They were all of the same Opinion, and affirm'd, That they had never seen 20 Miles of such extraordinary rich Land, lying all together, like that betwixt *Hau*-River and the *Achonechy* Town. Having taken our Leaves of each other, we set forward; and the Country, thro' which we pass'd, was so delightful, that it gave us a great deal of Satisfaction. About Three a Clock, we reach'd the Town, and the *Indians* presently brought us good fat Bear, and Venison, which was very acceptable at that time. Their Cabins were hung with a good sort of Tapestry, as fat Bear, and barbakued or dried Venison; no *Indians* having greater Plenty of Provisions than these. The Savages do, indeed, still possess the Flower of *Carolina*, the *English* enjoying only the Fag-end of that fine Country. We had not been in the Town 2 Hours, when *Enoe-Will* came into the King's Cabin; which was our Quarters. We ask'd him, if he would conduct us to

the *English*, and what he would have for his Paine; he answer'd, he would go along with us, and for what he was to have, he left that to our Discretion.

Monday.—The next Morning, we set out, with *Enoe-Will*, towards *Adshusheer*, leaving the *Virginia* Path, and striking more to the Eastward, for *Ronoack*. Several *Indians* were in our Company belonging to *Will's* Nation, who are the *Shoccories*, mixt with the *Enoe-Indians*, and those of the Nation of *Adshusheer*. *Enoe-Will* is their chief Man, and rules as far as the Banks of *Reatkin*. It was a sad stony Way to *Adshusheer*. We went over a small River by *Achonechy*, and in this 14 Miles, through several other Streams, which empty themselves into the Branches of *Cape-Fair*. The stony Way made me quite lame; so that I was an Hour or two behind the rest; but honest *Will* would not leave me, but bid me welcome when we came to his House, feasting us with hot Bread, and Bears-Oil; which is wholsome Food for Travellers. There runs a pretty Rivulet by this Town. Near the Plantation, I saw a prodigious overgrown Pine-Tree, having not seen any of that Sort of Timber for above 125 Miles: They brought us 2 Cocks, and pulled their larger Feathers off, never plucking the lesser, but singeing them off. I took one of these Fowls in my Hand, to make it cleaner than the *Indian* had, pulling out his Guts and Liver, which I laid in a Bason; notwithstanding which, he kept such a Struggling for a considerable time, that I had much ado to hold him in my Hands. The *Indians* laugh'd at me, and told me, that *Enoe-Will* had taken a Cock of an *Indian* that was not at home, and the Fowl was designed for another Use. I conjectur'd, that he was design'd for an Offering to their God, who, they say, hurts them, (which is the Devil.) In this Struggling, he bled afresh, and there issued out of his Body more Blood than commonly such Creatures afford. Notwithstanding all this, we cook'd him, and eat him; and if he was design'd for him, cheated the Devil. The *Indians* keep many Cocks, but seldom above one Hen, using very often such wicked Sacrifices, as I mistrusted this Fowl was designed for.

Our Guide and Landlord *Enoe-Will* was of the best and most agreeable Temper that ever I met with in an *Indian*, being always ready to serve the *English*, not out of Gain, but real Affection; which makes him apprehensive of being poison'd by some wicked *Indians*, and was therefore very earnest with me, to promise him to revenge his Death, if it should so happen. He brought some of his chief Men into his Cabin, and 2 of them having a Drum, and a Rattle, sung by us, as we lay in Bed, and struck up their Musick to serenade and welcome us to their Town. And tho' at last, we fell asleep, yet they continu'd their Consort till Morning. These *Indians* are fortify'd in, as the former, and are much addicted to a Sport they call *Chenco*, which is carry'd on with a Staff and a Bowl made of Stone, which they trundle upon a smooth Place, like a Bowling-Green, made for that Purpose, as I have mention'd before.

Tuesday.—Next Morning, we set out, with our Guide, and several other *Indians*, who intended to go to the *English*, and buy Rum. We design'd for 'a Nation about 40 Miles from *Adshusheer*, call'd the Lower Quarter: The first Night, we lay in a rich *Perkoson*, or low Ground, that was hard-by a Creek, and good dry Land.

Wednesday.—The next day, we went over several Tracts of rich Land, but mix'd with Pines and other indifferent Soil. In our way, there stood a great Stone about the Size of a large Oven, and hollow; this the *Indians* took great Notice of, putting some Tobacco into the Concavity, and spitting after it. I ask'd them the Reason of their so doing, but they made me no Answer. In the Evening, we pass'd over a pleasant Rivulet, with a fine gravelly Bottom, having come over such another that Morning. On the other side of this River, we found the *Indian* Town, which was a Parcel of nasty smoaky Holes, much like the *Waterrees;* their Town having a great Swamp running directly through the Middle thereof. The Land here begins to abate of its Height, and has some few Swamps. Most of these *Indians* have but one Eye; but what Mischance or Quarrel has bereav'd them of the other I could not learn. They were not so free to us, as most of the other *Indians* had been; Victuals being somewhat scarce among them. However, we got enough to satisfy our Appetites. I saw, among these Men, very long Arrows, headed with Pieces of Glass, which they had broken from Bottles. They had shap'd them neatly, like the Head of a Dart; but which way they did it, I can't tell. We had not been at this Town above an Hour, when two of our Company, that had bought a Mare of *John Stewart*, came up to us, having receiv'd a Letter by one of *Will's Indians*, who was very cautious, and asked a great many Questions, to certifie him of the Person, e'er he would deliver the Letter. They had left the Trader, and one that came from *South-Carolina* with us, to go to *Virginia;* these Two being resolved to go to *Carolina* with us.

Thursday.—This Day fell much Rain, so we staid at the *Indian* Town.

Friday.—This Morning, we set out early, being four *English*-Men, besides several *Indians*. We went 10 Miles, and were then stopp'd by the Freshes of *Enoe*-River, which had rais'd it so high, that we could not pass over, till it was fallen. I enquir'd of my Guide, Where this River disgorg'd it self? He said, It was *Enoe*-River, and run into a Place call'd *Enoe*-Bay, near his Country, which he left when he was a Boy; by which I perceiv'd, he was one of the *Cores* by Birth: This being a Branch of *Neus*-River.

Saturday.—This Day, our Fellow-Traveller's Mare ran away from him; wherefore, *Will* went back as far as the lower Quarter, and brought her back.

Sunday.—The next Day, early, came two *Tuskeruro Indians* to the other side of the River, but could not get over. They talk'd much to us, but we understood them not. In the Afternoon, *Will* came with the Mare, and had some Discourse with them; they told him, The *English*, to whom he was going, were very wicked People; and, That they threatned the *Indians* for Hunting near their Plantations. These Two Fellows were going among the *Schoccores* and *Achonechy Indians*, to sell their Wooden Bowls and Ladles for Raw-Skins, which they make great Advantage of, hating that any of these Westward *Indians* should have any Commerce with the *English*, which would prove a Hinderance to their Gains. Their Stories deterr'd an Old *Indian* and his Son, from going any farther; but *Will* told us, Nothing they had said should frighten him, he believing them to be a couple of Hog-stealers; and that the *English* only sought Restitution of their Losses, by them; and that this was the only ground for their Report. *Will* had a Slave, a *Sissipahaw-Indian* by Nation, who killed us several Turkies, and other Game, on which we feasted.

Monday.—This River is near as large as *Reatkin;* the South-side having curious Tracts of good Land, the Banks high, and Stone-Quarries. The *Tuskeruros* being come to us, we ventur'd over the River, which we found to be a strong Current, and the Water about Breast-high. However, we all got safe to the North-Shore, which is but poor, white, sandy Land, and bears no Timber, but small shrubby Oaks. We went about 10 Miles, and sat down at the Falls of a large Creek, where lay mighty Rocks, the Water making a strange Noise, as if a great many Water-Mills were going at once. I take this to be the Falls of *Neus*-Creek, called by the *Indians*, *Wee-quo Whom*. We lay here all Night. My Guide *Will* desiring to see the Book that I had about me, I lent it him; and as he soon found the Picture of King *David*, he asked me several Questions concerning the Book, and Picture, which I resolv'd him, and invited him to become a Christian. He made me a very sharp Reply, assuring me, That he lov'd the *English* extraordinary well, and did believe their Ways to be very good for those that had already practis'd them, and had been brought up therein; But as for himself, he was too much in Years to think of a Change, esteeming it not proper for Old People to admit of such an alteration. However, he told me, If I would take his Son *Jack*, who was then about 14 Years of Age, and teach him to talk in that Book, and make Paper speak, which they call our Way of Writing, he would wholly resign him to my Tuition; telling me, he was of Opinion, I was very well affected to the *Indians*.

Tuesday.—The next Morning, we set out early, and I perceiv'd that these *Indians* were in some fear of Enemies; for they had an Old Man with them, who was very cunning and circumspect, wheresoever he saw any Marks of Footing, or of any Fire that had been made; going out of his Way, very often, to look for these Marks. We went, this day, above 30 Miles, over a very level Country, and most Pine Land, yet intermix'd with some Quantities of Marble; a good Range for Cattel, though very indifferent for Swine. We had now lost our rapid Streams, and were come to slow, dead Waters, of a brown Colour, proceeding from the *Swamps*, much like the Sluices in *Holland*, where the Track-*Scoots* go along. In the Afternoon, we met two *Tuskeruros*, who told us, That there was a Company of Hunters not far of, and if we walk'd stoutly, we might reach them that Night. But *Will* and He that own'd the Mare, being gone before, and the Old *Indian* tired, we rested, that Night, in the Woods, making a good light Fire, Wood being very plentiful in these parts.

Wednesday.—Next Day, about 10 a Clock, we struck out of the Way, by the Advice of our Old *Indian*. We had not gone past two Miles, e'er we met with about 500 *Tuskeruros* in one Hunting-Quarter. They had made themselves Streets of Houses, built with Pine-Bark, not with round Tops, as they commonly use, but Ridge-Fashion, after the manner of most other *Indians*. We got nothing amongst them but Corn, Flesh being not plentiful, by reason of the great Number of their People. For tho' they are expert Hunters, yet they are too populous for one Range; which makes Venison very scarce to what it is amongst other *Indians*, that are fewer; no Savages

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living so well for Plenty, as those near the Sea. I saw, amongst these, a Humpback'd *Indian*, which was the only crooked one I ever met withal. About two a Clock, we reach'd one of their Towns, in which there was no body left, but an Old Woman or two; the rest being gone to their Hunting Quarters. We could find no Provision at that Place. We had a *Tuskeruro* that came in company with us, from the lower Quarter, who took us to his Cabin, and gave us what it afforded, which was Corn-meat.

Thursday.—This Day, we pass'd through several Swamps, and going not above a dozen Miles, came to a Cabin, the Master whereof us'd to trade amongst the *English*. He told us, If we would stay Two Nights, he would conduct us safe to them, himself designing, at that time, to go and fetch some Rum; so we resolved to tarry for his Company. During our Stay, there happen'd to be a Young Woman troubled with Fits. The Doctor who was sent for to assist her, laid her on her Belly, and made a small Incision with Rattle-Snake-Teeth; then laying his Mouth to the Place, he suck'd out near a Quart of black conglutinated Blood, and *Serum*. Our Landlord gave us the Tail of a Bever, which was a choice Food.

Friday.—There happen'd also to be a Burial of one of their Dead, which Ceremony is much the same with that of the *Santees*, who make a great Feast at the Interment of their Corps. The small Runs of Water hereabout, afford great Plenty of Craw-Fish, full as large as those in *England*, and nothing inferior in Goodness.

Saturday Morning, our Patron, with *Enoe Will*, and his Servant, set out with us, for the *English*. In the Afternoon, we ferried over a River, (in a *Canoe*) called by the *Indians*, *Chattookau*, which is the N. W. Branch of *Neus*-River. We lay in the *Swamp*, where some *Indians* invited us to go to their Quarters, which some of our Company accepted, but got nothing extraordinary, except a dozen Miles March out of their Way: The Country here is very thick of *Indian* Towns and Plantations.

Sunday.—We were forced to march, this day, for Want of Provisions. About 10 a Clock, we met an *Indian* that had got a parcel of Shad-Fish ready barbaku'd. We bought 24 of them, for a dress'd Doe-Skin, and so went on, through many *Swamps*, finding, this day, the long ragged Moss on the Trees, which we had not seen for above 600 Miles. In the Afternoon, we came upon the Banks of *Pamptico*, about 20 Miles above the *English* Plantations by Water, though not so far by Land. The *Indian* found a *Canoe*, which he had hidden, in which we all got over, and went about six Miles farther. We lay, that Night, under two or three Pieces of Bark, at the Foot of a large Oak. There fell abundance of Snow and Rain in the Night, with much Thunder and Lightning.

Monday.—Next Day, it clear'd up, and it being about 12 Miles to the *English*, about half-way we passed over a deep Creek, and came safe to Mr. *Richard Smith's*, of *Pamptico*-River, in *North-Carolina;* where being well receiv'd by the Inhabitants, and pleas'd with the Goodness of the Country, we all resolv'd to continue.

FINIS.

A Description of North-Carolina.

CAROLINA HOW BOUNDED.

The Province of *Carolina* is separated from *Virginia* by a due West-Line, which begins at *Currituck*-Inlet, in 36 Degrees, 30 Minutes, of Northern-Latitude, and extends indefinitely to the Westward, and thence to the Southward, as far as 29 Degrees; which is a vast Tract of Sea-Coast. But having already treated, as far as is necessary, concerning South-*Carolina*, I shall confine myself, in the ensuing Sheets, to give my Reader a Description of that Part of the Country only, which lies betwixt *Currituck* and *Cape-Fair*, and is almost 34 Deg. North. And this is commonly call'd *North Carolina*.

This Part of *Carolina* is faced with a Chain of Sand-Banks, which defends it from the Violence and Insults of the *Atlantick* Ocean; by which Barrier, a vast Sound is hemm'd in, which fronts the Mouths of the Navigable and Pleasant Rivers of this Fertile Country, and into which they disgorge themselves.

INLETS.

Thro' the same are Inlets of several Depths of Water. Some of their Channels admit only of Sloops, Brigantines, small Barks, and Ketches; and such are *Currituck*, *Ronoak*, and up the Sound above *Hatteras:* Whilst others can receive Ships of Burden, as *Ocacock*, *Topsail*-Inlet, and *Cape-Fair;* as appears by my Chart.

FIRST COLONY OF CAROLINA.

The first Discovery and Settlement of this Country was by the Procurement of Sir *Walter Raleigh*, in Conjunction with some publick-spirited Gentlemen of that Age, under the Protection of Queen *Elizabeth;* for which Reason it was then named *Virginia*, being begun on that Part called *Ronoak*-Island, where the Ruins of a Fort are to be seen at this day, as well as some old *English* Coins which have been lately found; and a Brass-Gun, a Powder-Horn, and one small Quarter deck-Gun, made of Iron Staves, and hoop'd with the same Metal; which Method of making Guns might very probably be made use of in those Days, for the Convenience of Infant-Colonies.

HATTERAS INDIANS.

A farther Confirmation of this we have from the *Hatteras Indians*, who either then lived on *Ronoak*-Island, or much frequented it. These tell us, that several of their Ancestors were white People, and could talk in a Book, as we do; the Truth of which is confirm'd by gray Eyes being found frequently amongst these *Indians*, and no others. They value themselves extremely for their Affinity to the *English*, and are ready to do them all friendly Offices. It is probable, that this Settlement miscarry'd for want of timely Supplies from *England;* or thro' the Treachery of the Natives, for we may reasonably suppose that the *English* were forced to cohabit with them, for Relief and Conversation; and that in process of Time,

they conform'd themselves to the Manners of their *Indian* Relations. And thus we see, how apt Humane Nature is to degenerate.

SIR WALTER RALEIGH'S SHIP.

I cannot forbear inserting here, a pleasant Story that passes for an uncontested Truth amongst the Inhabitants of this Place; which is, that the Ship which brought the first Colonies, does often appear amongst them, under Sail, in a gallant Posture, which they call Sir *Walter Raleigh's* Ship; And the truth of this has been affirm'd to me, by Men of the best Credit in the Country.

SECOND SETTLEMENT OF NORTH CAROLINA—PLEASANTNESS OF CAROLINA.

A second Settlement of this Country was made about fifty Years ago, in that part we now call *Albemarl*-County, and chiefly in *Chuwon* Precinct, by several substantial Planters, from *Virginia*, and other Plantations; Who finding mild Winters, and a fertile Soil, beyond Expectation, producing every thing that was planted, to a prodigious Increase; their Cattle, Horses, Sheep, and Swine, breeding very fast, and passing the Winter, without any Assistance from the Planter; so that every thing seem'd to come by Nature, the Husbandman living almost void of Care, and free from those Fatigues which are absolutely requisite in Winter-Countries, for providing Fodder and other Necessaries; these Encouragements induc'd them to stand their Ground, altho' but a handful of People, seated at great Distances one from another, and amidst a vast number of *Indians* of different Nations, who were then in *Carolina*. Nevertheless, I say, the Fame of this new-discover'd Summer-Country spread thro' the neighbouring Colonies, and, in a few Years, drew a considerable Number of Families thereto, who all found Land enough to settle themselves in, (had they been many Thousands more) and that which was very good and commodiously seated, both for Profit and Pleasure. And indeed, most of the Plantations in *Carolina* naturally enjoy a noble Prospect of large and spacious Rivers, pleasant Savanna's, and fine Meadows, with their green Liveries, interwoven with beautiful Flowers, of most glorious Colours, which the several Seasons afford; hedg'd in with pleasant Groves of the ever-famous Tulip-tree, the stately Laurel, and Bays, equalizing the Oak in Bigness and Growth; Myrtles, Jessamines, Wood-bines, Honeysuckles, and several other fragrant Vines and Ever-greens, whose aspiring Branches shadow and interweave themselves with the loftiest Timbers, yielding a pleasant Prospect, Shade and Smell, proper Habitations for the Sweet-singing Birds, that melodiously entertain such as travel thro' the Woods of *Carolina*.

The Planters possessing all these Blessings, and the Produce of great Quantities of Wheat and *Indian* Corn, in which this Country is very fruitful, as likewise in Beef, Pork, Tallow, Hides, Deer-Skins, and Furs; for these Commodities the *New-England*-Men and *Bermudians* visited *Carolina* in their Barks and Sloops, and carry'd out what they made, bringing them, in Exchange, Rum, Sugar, Salt, Molasses, and some wearing Apparel, tho' the last at very extravagant Prices.

As the Land is very fruitful, so are the Planters kind and hospitable to all that come to visit them; there being very few Housekeepers, but what live very nobly, and give away more Provisions to Coasters and Guests who come to see them than they expend amongst their own families.

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AN ACCOUNT OF THE INDIANS OF NORTH-CAROLINA.

THE *Indians*, which were the Inhabitants of *America*, when the *Spaniards* and other *Europeans* discover'd the several Parts of that Country, are the People which we reckon the Natives thereof; as indeed they were, when we first found out those Parts, and appear'd therein. Yet this has not wrought in me a full Satisfaction, to allow these People to have been the Ancient Dwellers of the New-World, or Tract of Land we call *America*. The Reasons that I have to think otherwise, are too many to set down here; but I shall give the Reader a few, before I proceed; and some others he will find scatter'd in my Writings elsewhere.

WOOD UNDER GROUND—SHELLS SOME FATHOMS IN THE EARTH, THE SEA PROBABLY HAS THROWN UP IN PART OF THIS COUNTRY—MEXICO BUILDINGS.

In *Carolina* (the Part I now treat of) are the fairest Marks of a Deluge, (that at some time has probably made strange Alterations, as to the Station that Country was then in) that ever I saw, or, I think, read of, in any History. Amongst the other Subterraneous Matters, that have been discover'd, we found, in digging of a Well that was twenty six foot deep, at the Bottom thereof, many large Pieces of the Tulip-Tree, and several other sorts of Wood, some of which were cut and notch'd, and some squared, as the Joices of a House are, which appear'd (in the Judgment of all that saw them) to be wrought with Iron Instruments; it seeming impossible for any thing made of Stone, or what they were found to make use of, to cut Wood in that manner. It cannot be argu'd, that the Wood so cut, might float from some other Continent; because Hiccory and the Tulip-Tree are spontaneous in *America*, and in no other Places, that I could ever learn. It is to be acknowledg'd, that the *Spaniards* give us Relations of magnificent Buildings, which were raised by the *Indians* of *Mexico* and other Parts, which they discover'd, and conquer'd; amongst whom no Iron Instruments were found: But 'tis a great Misfortune, that no Person in that Expedition was so curious, as to take an exact Draught of the Fabricks of those People, which would have been a Discovery of great Value, and very acceptable to the Ingenious; for, as to the Politeness of Stones, it may be effected by Collision, and Grinding, which is of a contrary Nature, on several Accounts, and disproves not my Arguments, in the least.

EARTHEN POTS UNDER GROUND.

The next is, the Earthen Pots that are often found under Ground, and at the Foot of the Banks where the Water has wash'd them away. They are for the most part broken in pieces; but we find them of a different sort, in Comparison of those the *Indians* use at this day,

ıo have had no other, ever since the *English* discover'd *America*. ıe Bowels of the Earth cannot have alter'd them, since they are icker, of another Shape, and Composition, and nearly approach to a Urns of the Ancient *Romans*.

INDIAN PEACHES—THE STONE—WATERMELON AND GOURDS THE INDIANS HAVE ALWAYS HAD.

Again, the Peaches, which are the only tame Fruit, or what is oreign, that these People enjoy, which is an Eastern Product, and ill keep and retain its vegetative and growing Faculty, the longest any thing of that Nature, that I know of. The Stone, as I elsehere have remark'd, is thicker than any other sort of the Peaches in *urope*, or of the *European* sort, now growing in *America*, and is ıeserved to grow if planted, after it has been for several years laid ; and it seems very probable, that these People might come from ıme Eastern Country; for when you ask them whence their Foreathers came, that first inhabited the Country, they will point to the 'estward and say, *Where the Sun sleeps, our Forefathers came thence*, hich, at this distance, may be reckon'd amongst the Eastern Parts the World. And to this day, they are a shifting, wandring People; ı I know some *Indian* Nations, that have chang'd their Settlements, any hundred Miles; sometimes no less than a thousand, as is prov'd y the *Savanna Indians*, who formerly lived on the Banks of the *lessiasippi*, and remov'd thence to the Head of one of the Rivers of outh-*Carolina*; since which, (for some dislike) most of them are ımov'd to live in the Quarters of the *Iroquois* or *Sinnagars*, which are n the Heads of the Rivers that disgorge themselves into the Bay of *Chesapeak*. I once met with a young *Indian* Woman, that had been rought from beyond the Mountains, and was sold a Slave into *Virinia*. She spoke the same language, as the *Coranine Indians*, that well near Cape-*Look-out*, allowing for some few words, which were ifferent, yet no otherwise, than that they might understand one nother very well.

INDIAN WELL SHAP'D PEOPLE.

The *Indians* of North-*Carolina* are a well-shap'd clean-made People, f different Statures, as the *Europeans* are, yet chiefly inclin'd to be all. They are a very streight People, and never bend forwards, or toop in the Shoulders, unless much overpower'd by old Age. Their limbs are exceeding well-shap'd. As for their Legs and Feet, they re generally the handsomest in the World. Their Bodies are a little lat, which is occasion'd, by being laced hard down to a Board, in their nfancy. This is all the Cradle they have, which I shall describe at arge elsewhere. Their Eyes are black, or of a dark Hazle; the White is marbled with red Streaks, which is ever common to these People, unless when sprung from a white Father or Mother. Their Colour is of a tawny, which would not be so dark, did they not dawb themselves with Bears Oil, and a Colour like burnt Cork. This is begun in their Infancy, and continued for a long time, which fills the Pores, and enables them better to endure the Extremity of the Weather. They are never bald on their Heads, although never so old, which, I believe, proceeds from their Heads being always uncov-

er'd, and the greasing their Hair (so often as they do) with Bears Fat, which is a great Nourisher of the Hair, and causes it to grow very fast. Amongst the Bears Oil (when they intend to be fine) they mix a certain Red Powder, that comes from a Scarlet Root which they get in the hilly Country, near the Foot of the great Ridge of Mountains, and it is no where else to be found. They have this Scarlet Root in great Esteem, and sell it for a very great Price, one to another. The Reason of its Value, is because they not only go a long way for it, but are in great Danger of the *Sinnagars* or *Iroquois*, who are mortal Enemies to all our *Indians*, and very often take them Captives, or kill them, before they return from this Voyage. The *Tuskeruros* and other *Indians* have often brought this Seed with them from the Mountains; but it would never grow in our Land. With this and Bears Grease they anoint their Heads and Temples, which is esteem'd as ornamental, as sweet Powder to our Hair. Besides this Root has the Virtue of killing Lice, and suffers none to abide or breed in their Heads. For want of this Root, they sometimes use *Pecoon*-Root, which is of a Crimson Colour, but it is apt to die the Hair of an ugly Hue.

NO DWARF—INDIAN TOBACCO.

Their Eyes are commonly full and manly, and their Gate sedate and majestick. They never walk backward and forward as we do, nor contemplate on the Affairs of Loss and Gain; the things which daily perplex us. They are dexterous and steady both as to their Hands and Feet, to Admiration. They will walk over deep Brooks, and Creeks, on the smallest Poles, and that without any Fear or Concern. Nay, an *Indian* will walk on the Ridge of a Barn or House and look down the Gable-end, and spit upon the Ground, as unconcern'd, as if he was walking on *Terra firma*. In Running, Leaping, or any such other Exercise, their Legs seldom miscarry, and give them a Fall; and as for letting any thing fall out of their Hands, I never yet knew one Example. They are no Inventors of any Arts or Trades worthy mention; the Reason of which I take to be, that they are not possess'd with that Care and Thoughtfulness, how to provide for the Necessaries of Life, as the *Europeans* are; yet they will learn any thing very soon. I have known an *Indian* stock Guns better than most of our *Joiners*, although he never saw one stock'd before; and besides, his Working-Tool was only a sorry Knife. I have also known several of them that were Slaves to the *English*, learn Handicraft-Trades very well and speedily. I never saw a Dwarf amongst them, nor but one that was Hump-back'd. Their Teeth are yellow with Smoaking Tobacco, which both Men and Women are much addicted to. They tell us, that they had Tobacco amongst them, before the *Europeans* made any Discovery of that Continent. It differs in the leaf from the sweet-scented, and *Oroonoko*, which are the Plants we raise and cultivate in *America*. Theirs differs likewise much in the Smell, when green, from our Tobacco, before cured. They do not use the same way to cure it as we do; and therefore, the Difference must be very considerable in Taste; for all Men (that know Tobacco) must allow, that it is the Ordering thereof which gives a Hogoo to that Weed, rather than any Natural Relish it possesses,

when green. Although they are great Smokers, yet they never are seen to take it in Snuff, or chew it.

They have no Hairs on their Faces (except some few) and those but little, nor is there often found any Hair under their Arm-Pits. They are continually plucking it away from their Faces, by the Roots. As for their Privities, since they wore Tail-Clouts, to cover their Nakedness, several of the Men have a deal of Hair thereon. It is to be observ'd, that the Head of the *Penis* is cover'd (throughout all the Nations of the *Indians* I ever saw) both in Old and Young. Although we reckon these a very smooth People, and free from Hair; yet I once saw a middle-aged Man, that was hairy all down his Back; the Hairs being above an Inch long.

FEW CRIPPLES—INDIANS GOOD EYES.

As there are found very few, or scarce any, Deformed, or Cripples, amongst them, so neither did I ever see but one blind Man; and then they would give me no Account how his Blindness came. They had a Use for him, which was, to lead him with a Girl, Woman, or Boy, by a String; so they put what Burdens they pleased upon his Back, and made him very serviceable upon all such Occasions. No People have better Eyes, or see better in the Night or Day, than the *Indians*. Some alledge, that the Smoke of the Pitch-Pine, which they chiefly burn, does both preserve and strengthen the Eyes; as, perhaps, it may do, because that Smoak never offends the Eyes, though you hold your Face over a great Fire thereof. This is occasion'd by the volatile Part of the Turpentine, which rises with the Smoke, and is of a friendly balsamick Nature; for the Ashes of the Pine-Tree afford no fix'd Salt in them.

NOT PAIR THEIR NAILS.

They let their Nails grow very long, which, they reckon, is the Use Nails are design'd for, and laugh at the *Europeans* for pairing theirs, which they say disarms them of that which nature designed them for.

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And since I hinted at a Regulation of the Savages, and to propose a way to convert them to Christianity, I will first particularize the several Nations of *Indians* that are our Neighbours, and then proceed to what I promis'd.

Tuskeruro Indians are fifteen Towns, *viz. Haruta, Waqui, Contahnah, Anna Ooka, Conaub-Kare Harooka, Una Nauban, Kentanuska, Chunaneets, Kenta, Eno, Naur-begh-ne, Oonoffoora, Tofneoc, Nonawharitse, Nursoorooka;* Fighting Men 1200. *Waccon.* Towns 2, *Tuppauremau, Tooptatmeer,* Fighting Men 120. *Machapunga,* Town 1, *Maramiskeet,* Fighting Men 30. *Bear* River, Town 1, *Raudauquaquank,* Fighting Men 50. *Maberring Indians,* Town 1, *Maberring* River, Fighting Men 50. *Chuwon Indians,* Town 1, *Bennets* Creek, Fighting Men 15. *Paspatank Indians,* Town 1, *Paspatank* River, Fighting Men 10. *Poteskeit,* Town 1, *North* River, Fighting Men 30. *Nottaway Indians,* Town 1, *Winoack* Creek, Fighting Men 30. *Hatteras* Town 1, Sand Banks, Fighting Men 16. *Connamox Indians,* Towns 2, *Coranine, Raruta,* Fighting Men 25. *Neus Indians,* Towns

2, *Chattooka, Rouconk,* Fighting Men 15. *Pampticough Indians,* Town 1, *Island,* Fighting Men 15. *Taupim Indians,* 6 People. These five Nations of the *Totero's, Sapona's, Keiauwee's, Aconechos,* and *Schoccories,* are lately come amongst us, and may contain, in all, about 750 Men, Women and Children. Total 4780

Now, there appears to be one thousand Six hundred and twelve Fighting Men, of our Neighbouring *Indians;* and probably, there are three Fifths of Women and Children, not including Old Men, which amounts to four thousand and thirty Savages, besides the five Nations lately come. Now, as I before hinted, we will see what grounds there are to make these People serviceable to us, and better themselves thereby.

On a fair Scheme, we must first allow these Savages what really belongs to them, that is, what good Qualities, and natural Endowments, they possess, whereby they being in their proper Colours, the Event may be better guess'd at, and fathom'd.

First, they are as apt to learn any Handicraft, as any People that the World affords; I will except none; as is seen by their Canoes and Stauking Heads, which they make of themselves; but to my purpose, the *Indian* Slaves in South *Carolina,* and elsewhere, make my Argument good.

Secondly, we have no disciplin'd Men in *Europe,* but what have, at one time or other, been branded with Mutining, and Murmuring against their Chiefs. These savages are never found guilty of that great Crime in a Soldier; I challenge all Mankind to tell me of one Instance of it; besides, they never prove Traitors to their Native Country, but rather chuse Death than partake and side with the Enemy.

They naturally possess the Righteous Man's Gift; they are Patient under all Afflictions, and have a great many other Natural Vertues, which I have slightly touch'd throughout the Account of these Savages.

They are really better to us than we are to them; they always give us Victuals at their Quarters, and take care we are arm'd against Hunger and Thirst: We do not so by them (generally speaking) but let them walk by our Doors Hungry, and do not often relieve them. We look upon them with Scorn and Disdain, and think them little better than Beasts in Humane Shape, though if well examined, we shall find that, for all our Religion and Education, we possess more Moral Deformities, and Evils than these Savages do, or are acquainted withal.

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EXHIBIT F.

HISTORICAL SKETCH OF THE INDIANS OF ROBESON COUNTY.

[By A. W. McLean.]

It is our purpose to state some facts relating to the Indians now residing in Robeson and adjoining counties in North Carolina. These peculiar and interesting people have been the subject of much historical research during the last half century.

The first white settlers who located in the section now comprised in Robeson County were French Huguenots, who immigrated in large numbers from France to South Carolina after the revocation of the Edict of Nantes, and some of them had penetrated as far north as the boundary line of North Carolina, only a few miles from the present location of the Indians in Robeson County, in the early part of the eighteenth century. Scotch immigrants settled in the upper section of what is now Robeson County as early as 1730. When these white settlers first arrived they found located on the waters of the Lumbee, as Lumber River was then called, a tribe of Indians speaking broken English, tilling the soil in a rude manner, and practicing in rather imperfect ways some of the arts practiced by the civilized people of Europe. There is abundant evidence that the land lying on the Lumbee River and upon the large creeks and swamps which are tributary to it was a great Indian camping ground. While there were many small tribes of Indians inhabiting this section of eastern North Carolina, the tribe formerly known as "Croatans," now known as "Indians of Robeson County," occupied the territory as far southwest as the Peedee River, in South Carolina, but the principal seat was on the Lumber River, a tributary of the Peedee, and the settlement extended along this river for at least 20 miles, the center of this settlement being about the site of the present town of Pembroke. At first they held their lands in common by right of possession, and this continued until the coming of the white man, when ownership in severalty gradually took the place of ownership in common; however, up to this day most of the people own their lands by right of possession, which has ripened into perfect title.

Hon. Hamilton McMillan, an experienced historian of marked ability, published in 1888 and again in 1907 an account of these people under the title of "Sir Walter Raleigh's Lost Colony." Mr. McMillan's opinion is that the Indians now residing in Robeson and adjoining counties are descended from Sir Walter Raleigh's lost colony, left by Gov. White on Roanake Island in 1587, and there are many plausible arguments advanced by Mr. McMillan for his theory. Another school of local historians contend that these Indians are descended from some other settlement of English-speaking people along the coast of North Carolina, probably near Lockwoods Folly, in Brunswick County, N. C. It is generally admitted by the adherents of both of these theories that these people are of undoubted

Indian origin and that they have at some time in the past become mixed to a more or less extent with persons of English blood. The purpose of this sketch is not to decide between these conflicting contentions, for this is immaterial to the purpose of this inquiry.

"TO WHAT TRIBE OF INDIANS DO THEY BELONG?"

We are of the opinion that they were originally a part of the great Cherokee Tribe of Indians which inhabited the western and central portions of Carolina before the advance of the white man.

Indeed, Mr. McMillan, in his account before referred to, takes the position that they are of Cherokee descent, though we confess that we can not reconcile this contention with his main contention that they are descendants of Gov. White's or Sir Walter Raleigh's lost colony.

Long before historians began to study the origin of these people they claimed to be of Cherokee descent. In fact, they have always claimed that they were originally a part of the Cherokee Tribe and that they gave up their tribal relation after they had participated with the white man in the war against the Tuscaroras. These Indians had great roads or trails connecting their settlements with the principal seat of the Cherokee Tribe in the Allegheny Mountains. There is a well-authenticated tradition among them, handed down through several generations, that this small remnant, after participating with the whites in the war against the Tuscaroras, took up many of the habits and customs of the white man, and therefore refused to remove west with the great Cherokee Tribe. It is also certain that in this they were influenced by the admixture of Anglo-Saxon blood, which had taken place to some extent even in that remote period.

On a map (being map No. 1) of the transactions of the American Ethnological Society the Yemassees are assigned to the region bordering on the Savannah River; the Cherokees to the mountain region; the Cheraws from the Yemassees along the coastal region to the Pamlicos on Pamlico Sound; the Tuscaroras along the Roanoke River, and just south of them, on the Nuese, the Woocons; and the Catawbas in central North and South Carolina.

It appears from Gregg's History of The Old Cheraws that originally the Cherokees occupied the territory assigned on the map to the Catawbas. According to their tradition, the Catawbas, about the time of the settlement of North America by the whites, occupied a region far to the northward, from whence they removed to the South. Being a numerous and warlike race, they vanquished the tribes with whom they came in conflict on the way, until they met the Cherokees on the banks of the river now called the Catawba. Here a sanguinary battle ensued, the loss on both sides being heavy, though neither party gained a victory. Terms of peace were agreed on, the Cherokees moving to the west and the Catawbas taking their country. This tradition is said to be confirmed by ethnological research. The Cheraws embraced all the small tribes of the Santee, Congaree, Wateree, Waccamaw, and Pedee. The Cheraws appear to have been a branch of the Cherokees. In the language of the Cherokees "chera" means fire. From the terminals of names Gregg connects the two tribes. He says: "If, about the period of their distinctive existence

as a tribe, being possibly an offshoot from the Cherokees, at the era of some internal struggle and partial dismembership of that once powerful and widely extended nation," etc. And, otherwise, he suggests that the Cheraws once belonged to the Cherokees.

In the early days of the settlement he says that there were 28 small tribes in South Carolina, and, in 1700, William Gale, of Albemarle, mentioned that he "was just setting out on a four months' voyage to the Cape Fear, where he had sent a shallop's load of goods to trade with the Indians." Apparently he intended to pass up that river and go as far west as the mountains to trade with the Indians. He said that there were 13 different tribes with which he was well acquainted and had free commerce.

There were many small tribes of Indians from the Neuse to the Savannah, those on the Cape Fear being Congarees, who were really "Cheraws," and the Cheraws, as Gregg indicates, were doubtless an offshoot of the original Cherokees who remained in their several localities at the time of the settlement by the Catawbas and the removal of the great bulk of the Cherokees to the mountains.

These circumstances are corroborative of the opinion of Giles Leitch that the Indians of Robeson County possessed the characteristics of the Cherokees.

The first permanent settlement on the Cape Fear, at old Brunswick, was about 1725. At that time there were many small Indian tribes throughout that region. Some ten years later settlers had penetrated well into the interior and found on the upper Cape Fear a community who had some European characteristics, evidently having mingled to some extent with some of the European races. Such is the first known reference to this settlement. Later, in 1752, there is a reference to them as occupying the territory which they now hold in what is now Robeson County, and it was then reported that they shot at a surveyor who went among them to survey land against their claims.

At that time the remnants of small Indian tribes still existed throughout that region.

The last battle with the Indians in making the original settlements near the seacoast was, according to tradition, at the Sugar Loaf, a few miles north of the site of Fort Fisher, in 1725, when the whites took possession of the lower part of the Cape Fear River. The royal governor eight years later estimated the Indians who were considered a part of the population for their friendly associations as numbering 800. On the outskirts of the settlements there were various small tribes of Indians inhabiting the wilderness in lower North Carolina and in South Carolina. In 1740 a Mr. Vaughn appropriated a large tract of land in Duplin County, together with a hundred slaves, to the purpose of Christianizing five Indian tribes in that vicinity. As the country became settled these remnants disappeared, and doubtless many of the Indians of that region went to live with that nucleus in the territory now confined in Robeson County. This seems to be the most probable account of the origin of this peculiar people, many of whom throughout all the generations appear to have been full-blood Indians, having, as Leitch says, the characteristics of the Cherokees, with whom, in the previous century, they were closely allied. By their traditions some Indians from that region accompanied Col. Barnwell to the Albemarle in January, 1712, and it appears that Barnwell passed close by their settlements.

It was among the Cherokees that many men were enlisted to fight the Tuscaroras in 1713, when North Carolina called upon South Carolina for assistance. This call was responded to by hundreds of white men, Cherokees and other Indians under Col. Barnwell. Along the great Lowrie road Col. Barnwell passed with his army to fight the Tuscaroras. The army took the upper road at Fayetteville and crossed the Cape Fear at Averasboro. Ramsay, in his history of South Carolina, says, in volume 1, page 156: "Gov. Craven lost no time in forwarding a force to their assistance. The assembly voted £4,000 for the service of the war. A body of militia, consisting of 600 men under the command of Col. Barnwell, marched against the savages; 218 Cherokees under the command of Capts. Harford and Turston, 79 Creeks under Capt. Hastings, 41 Catawbas under Capt. Cantey, 28 Yemassees under Capt. Pierce, joined the Carolinians in this expedition." This army passed through Robeson County, and there are traditions among the Indians of Robeson County regarding the army of "Bonnul," as they pronounced the name of Barnwell. One of these traditions is that several of the Cherokees, on their return from the Tuscarora war, located in Robeson County, bringing their prisoners with them as slaves. These prisoners intermarried among the Cherokees and became free, as was the custom among Indian tribes.

The Cherokees, from whom the Indians of Robeson County claim descent, were to some extent an agricultural people. The clay pottery found in this section is ornamented by having a full ear of corn rolled over the surface while the material of the pottery was in a plastic state. In the beginning of the War of Independence the colonial troops captured thousands of bushels of corn among the Cherokees in the mountains of western North Carolina.

The universal tradition among the Indians found in Robeson County, N. C., and counties adjoining is that they are the descendants of English people and the Cherokees.

Their Indian ancestors, the Cherokees, according to their tradition, had their principal abiding place in the mountains to the west, and had trails or roads leading to various points on the coast. On the principal one of these roads, known as the Lowrie road, they had settlements on the Neuse River, on the waters of Black River, on the Cape Fear, Lumbee, and as far as the Santee in South Carolina. Their principal settlement was in the territory along the Lumbee and covering a large part of the present county of Robeson, and extending through what is now Cumberland County as far as Averasboro on the Cape Fear. They had other trails leading from the mountains eastward, and three of them united with the Lowrie road or trail where there was a crossing of the Cape Fear where the present town of Fayetteville is situated.

John Brooks (ancestor of Aaron Brooks, now living near Pates, in Robeson County) was a soldier in the American Army at the Battle of Eutaw Springs. Soon after returning from the Revolutionary War he died, leaving his widow, Betsy Brooks. Her name appears in the United States census of 1790 as the head of a family.

Jacob Locklear also served in the American Army at the Battle of Eutaw Springs, and at other places. This Jacob Locklear had a brother, William Locklear, who was known as "Lazy Will." This "Lazy Will Locklear" spoke the Cherokee language and often held

conversations in Cherokee with Randall Locklear, Elizabeth Lowery, and others. The tradition handed down by the descendants of Lazy Will Locklear is that he and certain others of the Indians remained and settled on Long Swamp and Lumber River, in Robeson County, when the other Indians left for the West. It is also a tradition in this family that Lazy Will Locklear and others of the Indians fought under Gen. Barnwell. It is also stated that there was a battle between some of the Indians and others near the present town of Red Springs, and there is an Indian mound there which is pointed out to this day. Recent investigations disclose the skeletons of a number of Indians who were buried there. The remains were found to be buried in the usual manner of Indian burying grounds.

Daniel Locklear, now living near Buie, in Robeson County, is a great-great-grandson of the Jacob Locklear above mentioned.

The original Lowery Road, now known by that name which passes through Robeson County and referred to in the Hamilton McMillan History of the Indians, was said to have been used by the Indians in traveling from Eastern North Carolina, then known as Roanoke in Virginia, to the Cheraw and other Indian settlements in South Carolina. It was first an Indian trail and was afterwards a post road.

Jordon Chavis, son of Julia Chavis and grandson of Ishmael Chavis, is now 75 years of age. He states that his father and grandfather always told him that their people were Cherokee Indians.

Preston Locklear, age 75 years, states that he and his ancestors were always known as Indians and that his parents taught him that his people lived here in Robeson County long before the white people came here.

Isaac Brayboy, age 74, states that his parents and grandparents told him that their people were Cherokee Indians; that the name was originally "Braveboy." This name is recorded in the census of 1790.

James Brayboy, now 82 years of age, states that his father and grandfather always told him that his people were Indians by the name of Braveboy. That they were living on Lumber River and Long Swamp, in Robeson County, when the white people first came to this country; that they were friendly with the white people and that they helped the white people to drive out the unfriendly Indians.

It will be noted that in the census of 1790 the name now known as "Locklear" is spelled "Lockaleer." It is said among the Indians to-day that this name in Indian language was originally "Locklaha."

As further confirming the Cherokee origin of these people, they have a tradition that the brother of James Lowery, and one of those who fought in the Revolution, was John Lowery, who was the head man among the Cherokees, and that he was one of those who made a treaty on behalf of the Cherokees with the Federal Government. Of this they had a tradition, none of them being able to read or write. On examination, it has been found that John Lowery did sign the treaty on behalf of the Cherokees made in 1806. (See second volume, Treaties, p. 91, Congressional Library.)

This John Lowery was the great-granduncle of Sinclair Lowery, now living in Robeson County, at the age of 78 years.

From the "War Map," in Winsor's History of America, giving the routes taken by Barnwell and taken by the two Moores, it appears that Barnwell, who had 50 whites and some 400 Indians, passed along

the Santee to the Congaree, then up the Wateree to the vicinity of the Catawba, embodying detachments of all these tribes in his force; that turning east he crossed the Peedee, and then continued east a considerable distance and took a northeast course, crossing the Cape Fear about where Fayetteville is; then ascending that river to about the vicinity of Aversboro he took a northeast course to Torhunte, on the Coteche. He reached the Neuse, about Fort Barnwell, in January 1712.

After a great battle, in which his Indians made many prisoners, they returned to South Carolina; and later he, being wounded, likewise returned.

The war breaking out again, South Carolina sent another force under Col. James Moore, 33 whites and 1,000 Indians. Col. Moore pursued the same route to the Pedee, but then turned to the northeast and crossed the Cape Fear at the junction of the Haw and Deep, and then went on to Torhunte. He arrived December 1, 1712. His brother, Maj. Maurice Moore, quickly followed him with another large force of Indians. His route lay still farther west by Trading Ford (near Salisbury), and after crossing the Deep he came east by Occoneechee, where Hillsboro is, and eastward to Torhunte. All these routes were Indian trails. It is to be noted that Barnwell alone passed through what is now Robeson County, and as until recently there never was any publication made of his route, it may be affirmed that the tradition stated is remarkable and noteworthy.

Although many other Indians from South Carolina accompanied Col. James Moore to the Albemarle the following winter, and a few weeks later still others accompanied Col. Maurice Moore, these expeditions did not pass through the Robeson region, and the local traditions are connected only with Barnwell. It is safe to say that these people could have known nothing of these matters except from actual tradition.

In 1756 a similar force of Indians from South Carolina accompanied Col. Hugh Waddell in his expedition to the north for the relief of the more northern colonies in the French and Indian War. While there is no particular record of the fact, yet as small numbers of Indians from almost every settlement composed this force, doubtless some belonged to these tribes that finally made up the population in Robeson County.

Gregg says that most of these smaller tribes eventually united with the Catawbas, and about 1743 the language of the Catawbas is said to have consisted of twenty different dialects.

The remaining Indians, in the course of settlement, passed from view, although "brief allusions are found in our early period to the several tribes in the acts of the assembly passed for the regulation and support of the Indian trade."

As the Indian element in the present population of Robeson County is certainly derived from the former Indians of that region, these people are entitled to share in any feeling of appreciation we may have of the general conduct of all these friendly tribes during the period of settlement and in colonial times.

During the Revolution some of these Indians served in the Continental ranks, as well as in the more local organizations raised by the State of North Carolina.

The territory embraced in Robeson County was much divided in sentiment, and toward the close of the Revolution it was the scene of a murderous civil warefare of unparalleled atrocity.

The tradition of these people that some of their leaders fought on the side of the Colonies seems to be corroborated by certain circumstances. Giles Leitch says that during the Revolution some of these families acquired a considerable number of slaves. Had they acquired them from North Carolinians, these slaves would have been recovered on the return of peace. Such slaves as the British captured, they sent either to Florida or Nova Scotia. It is therefore probable that these slaves held by these Robeson County Indians were acquired from South Carolina. Marion raised his celebrated band largely in that part of North Carolina, and as an inducement for serving with him he offered as pay to his North Carolina troopers slaves taken from the South Carolina Loyalists. So many of these slaves were thus taken and held by his North Carolina troopers that after the war the question of their return became a matter of State legislation.

After the war, feeling against the local Tories ran so high that they were discriminated against and severe tests of loyalty were applied. There seems to have been no feeling against these Indians, for although not white they were allowed to vote as "freemen," without any change being made in the law to include them, although only whites had earlier been allowed to vote. They voted until 1835, when the Constitution was changed by the insertion of the word "white." [1]

Had they been of the Tory element probably they would not have been allowed the right of suffrage, because the feeling against the Tories was very bitter, especially in that region where they lived.

During the War of 1812 they were enrolled in the militia; and among others, Charles Oxendine, Thomas Locklier, John Drinkwater, Hugh Locklear, William Bullard, Elias Bullard, Richard Bullard, and Stephen Cumboe were in the companies of militia detached from the Robeson regiments for service in that war. (See Muster Rolls Troops of 1812, State Library at Raleigh.)

Up to 1835 these Indians were entitled to vote, and some of them owned slaves. A number of them appear as heads of families in the United States census of 1790.

After 1835 these people could not vote, nor were they prior to the Civil War admitted to the public schools when they were established.

In 1867 they were allowed to vote under the reconstruction acts, and under the constitution adopted in 1868, and were entitled to attend the negro schools, but not the schools for the whites. But they refused absolutely to attend the negro schools, and thus were debarred from school privileges.

Attention was drawn to their peculiar social status, and as they were of undoubted Indian extraction Hon. Hamilton McMillan, who inquired into their history, reached the conclusion that they were descended from the Indians on Croatan Sound and derived their white blood from the lost colony of 1587. This idea was based on their partly civilized condition when first observed by the early settlers of that region about 1730. Under that impression, the legislature in 1885 provided separate common schools for them under the name of the "Croatan Indians."

[1] "Freemen voted before 1835." O. D. W.

The word "Croatan" is not a generic or tribal name, but was purely local, and this appellation was given to these Indians in the act of the legislature in 1885 at the instance of the Hon. Hamilton McMillan. The name having been suggested by the word "Croatan" which was found on a tree after the disappearance of Gov. John White's lost colony. In 1911 the legislature changed the name to "Indians of Robeson County."

But whatever the origin of the Indians of this community was, it is certain that from the first settlement they have been separated from the other inhabitants of that region, and are of Indian descent, with Indian characteristics, with complexion, features, and hair of the Indian race, and are now borne on the census rolls as Indians.

NEED OF BETTER SCHOOL FACILITIES.

While they have the ordinary common schools and a small normal school, as they can not attend the high institutions provided on the one hand for the whites and on the other hand for the negroes, their educational facilities are limited.

It is very desirable, therefore, that additional educational facilities should be afforded them, especially in the way of higher academic and industrial education.

It appears that they have capacity for agriculture and the mechanic arts, and readily become skilled in them when trained. A mechanical and industrial school would be of great benefit to them.

In like manner the training of the girls in the domestic arts and economics would be of great benefit.

These people never had a reservation set apart for them, as the Catawbas had not far to the west of them.

The bill under consideration, which has passed the Senate, provides for an appropriation of $50,000 to erect buildings for a school for these Indians at or near Pembroke, in Robeson County.

According to the census of 1910, the number of these Indians in Robeson County was 5,895. There are also about 1,500 to 2,000 in adjoining counties in North and South Carolina, making a settlement in all of about 8,000 persons. In 1909 there were enrolled in the ordinary common free schools provided by the State 1,594 of these Indian children. The average length of the term of their school districts was 82 days. The only school facilities enjoyed by them other than the ordinary common school above mentioned is a normal school for the training of teachers, provided for by the State at an annual cost of $2,250. Under the laws of North Carolina, which provide for the absolute separation of the races, they are not entitled to attend the university for men, the State normal and industrial college for women, or the agricultural and mechanical college for either the white or negro races. They are therefore entirely without the facilities for industrial or higher academic education. There has always been a feeling among these people and their white neighbors that the Federal Government should make some provision for them, for the reason that the Government does expend large sums of money every year in providing schools for other nonreservation Indians in all sections of the country. The present Indian appropriation bill provides for

more than a million dollars for this purpose, some provisions in that bill being as follows:

For support and education of three hundred and seventy-five Indian pupils at the Indian school at Genoa, Nebraska, and for pay of superintendent, $62,300; for general repairs and improvements, $4,500; in all, $66,800.

For support and education of one hundred and eighty Indian pupils at the Indian school at Cherokee, North Carolina, and for pay of superintendent, $30,000; for general repairs and improvements, $6,000; in all, $36,000.

For support and education of one hundred Indian pupils at the Indian school, Bismarck, North Dakota, and for pay of superintendent, $18,200; for general repairs and improvements, $2,000; in all, $20,200.

For support and education of Indian pupils at the Indian school at Carlisle, Pennsylvania, and for pay of superintendent, $132,000; for general repairs and improvements, $20,000; in all, $152,000.

For support and education of one hundred and seventy-five Indian pupils at the Indian school at Pierre, South Dakota, and for pay of superintendent, $32,000; for general repairs and improvements, $10,000; in all, $42,000.

For the support and education of two hundred and ten Indian pupils at the Indian school at Hayward, Wisconsin, and for pay of superintendent, $36,670; for general repairs and improvements, $2,500; in all, $39,170.

It appears from a letter from the Department of the Interior, Bureau of Indian Affairs, that there are 22 nonreservation Indian schools in various parts of the United States now supported by the Government, none of these being situated in the Southern States.

It appears that these schools are not connected with reservations or agencies, but are maintained especially for Indians of any tribe coming usually from that part of the country in which the school is situated, and pupils are admitted whose parents are entirely free from governmental control or guardianship, and who in some cases hold their lands without restriction, the only condition of admittance being that they would otherwise be deprived of an opportunity to obtain an education, academic or industrial. It is submitted that the condition of the Indians in question fully meets these requirements, because they are debarred by the laws of the State of North Carolina from attending the colleges and schools of higher education, both academic and industrial.

LETTER OF A. W. McLEAN, SEPTEMBER 7, 1914.

LUMBERTON, N. C., *September 7, 1914.*

The Honorable COMMISSIONER OF INDIAN AFFAIRS,
Department of the Interior, Washington, D. C.

DEAR SIR: I promised Mr. O. M. McPherson, special Indian agent, who recently spent some time in Lumberton investigating the Cherokee Indians of Robeson County, that I would probably send him some further information in connection with these Indians which he might be able to use in making his report.

I have made a very careful study of the history of these Indians for a number of years. In a hearing before the Committee on Indian Affairs of the House of Representatives on Friday, February 14, 1913, I submitted an historical sketch of these Indians, a copy of which I furnished to Mr. McPherson. Supplementing that sketch, I desire to submit the following as bearing upon their contention that they are of Cherokee origin:

My opinion is, from a very exhaustive examination made before and after the hearing above mentioned, that these Indians are not

only descendants of Sir Walter Raleigh's lost colony, as contended by Mr. Hamilton McMillan in his statement, a copy of which Mr. McPherson has in his possession, but that they are also mixed with the Cherokee Indians. In the first place, these Indians have contended from time immemorial that they were of Cherokee descent, and they further have had a tradition among them that their ancestors, or some of them, came from "Roanoke and Virginia." Roanoke and Virginia, of course, originally comprised all of eastern North Carolina, including Roanoke Island, the settlement of Sir Walter Raleigh's lost colony.

In the great war with the Tuscaroras in eastern North Carolina Barnwell's army was made up largely of Indians, and especially Cherokee Indians. The only serious contention made against the claim that they are Cherokees is that the Cherokees live farther west. In view of their tradition that upon their return from eastern North Carolina with Barnwell's army some of them stopped and settled in Robeson County, there seems to be nothing in this contention. This tradition is borne out by the fact that the great road traveled by Barnwell in his expedition to eastern North Carolina was along the Lowrie Road, which passes immediately through the present settlement of these Indians. (See Williamson's History of North Carolina, Vol. I, pp. 194, etc. See also History of the Old Cheraws, by Gregg, pp. 1 to 31. See especially map between pp. 2 and 3, which shows that the Cheraws were located in all that section between the Cape Fear River and the Catawba River. See also on page 7 reference to Lederer's journey, in which it is stated that he made his journey entering the State of North Carolina somewhere in Robeson County, crossing in a southwestern line, and passing through Robeson County into South Carolina. His road was along the Great Lowrie Road, which was originally an Indian trail, and which passes directly through the heart of the Indian settlement in Robeson County. See also Hawks's History of North Carolina.)

As will be noted from the historical sketch given by me at the committee hearing hereinbefore mentioned, John Lowrie signed a treaty on the part of the Cherokee Indians with the United States Government in 1806. This John Lowrie was the ancestor of some of the Lowrie Indians now living in Robeson County. His brother, James Lowrie, was one of the most prominent Indians in the county in the year 1810.

Several of these Indians served in the Revolutionary War. John Brooks was granted a pension by the United States Government for services in the Revolutionary War. (See warrant No. 80030, issued to John Brooks for 160 acres of bounty land for his services in the Revolutionary War. See also Revolutionary War pension file No. 6732, pension order.) In Volume XXII of the North Carolina State Records, pages 56 and 57, it appears that the following Indians of Robeson County received a pension from the Government for service in the Revolutionary War: John Brooks, James Brooks, Berry Hunt, Thomas Jacobs, Michael Revells, Richard Bell, Samuel Bell, Primas Jacobs, Thomas Cummings, and John Hammond, these pensions having been granted under the Federal acts of 1818 and 1832.

In 1871, while Congress was investigating the operations of the Ku-Klux, the Hon. Giles Leach, then a prominent lawyer residing

at Lumberton, Robeson County, was summoned to appear before a congressional committee in Washington to testify in regard to the condition of affairs in Robeson County. He was naturally very unfriendly to the Indians, because he admitted in his testimony that he was employed by the State of North Carolina to prosecute some of them. Notwithstanding his prejudice, when asked the question as to what race the Lowries and the other Indians belonged to, he said:

> Well, sir, I desire to tell you the truth as near as I can. I think they are a mixture of Spanish and Indian. They have straight black hair and many of the characteristics of the Cherokee Indians in our State.

When asked the question as to what blood there was in the Lowrie family, he said:

> I think the father was an Indian. I think the family had about all the characteristics of the Cherokee Indians of our State. The mother was named Cumboe, and I think it very likely that there may have been some white blood in the Cumboe family. The Lowrie family is Indian.

I regard this testimony of the Hon. Giles Leach as very important as bearing upon the fact that these Indians are of Cherokee descent, because, as stated, he was strongly prejudiced against them and evidently gave no testimony favorable to them except where he felt obliged to do so.

It is inconceivable that these Indians should have had a tradition in their families which can be traced for more than a hundred years to the effect that they were of Cherokee origin unless there was something in the statement. It will be noted in the pamphlet published by the Hon. Hamilton McMillan that they always claimed to him that they were of Cherokee origin. The investigation I have made of them for the last 20 or 25 years has elicited the universal tradition and history that their Indian blood was Cherokee. It is entirely possible, of course, that there may have been a mixture of some other Indian blood. In fact, it is generally believed that the Cheraws and a number of other native Indian tribes who originally lived on the border line of North and South Carolina were mixed more or less with the Cherokee Indians.

The fact that such reliable historians as Capt. S. A. Ashe, the author of a history of North Carolina, Hon. Hamilton McMillan, a man now over 80 years of age, who has lived in this section all his life and who has made a special study of these Indians, and the Hon. Giles Leach, who was one of the most noted local historians who ever lived in this section—the very fact, I say, that they have all stated that it is their positive opinion from their investigations that these people have Cherokee blood in them is, when coupled with their own universal tradition to that effect, conclusive proof that they have Cherokee blood in their veins. Indeed, it would be practically impossible to prove the family or tribal relation of any people by stronger or more convincing proof.

I inclose statement of Wash Lowrie, a very old Indian, which is practically the same as the others with whom I have talked for the last 25 years.

Yours, truly,

A. W. McLEAN.

STATEMENT OF WASH LOWRIE TO A. W. McLEAN.

On July 14, 1914, I interviewed Wash Lowrie at his home on the Lowrie Road, about 2 miles north of Pembroke. He stated that he lacked a few months of being 80 years of age. That his father was Daniel Lowrie, who died about 1864, age 73 years, and Daniel Lowrie was a natural son of James Lowrie. This James Lowrie was one of the original Indians in this section and was very well off at the time of his death in 1810. (See his will, recorded in book of wills No. 1, p. 121, office clerk superior court, Robeson County.) The mother of Daniel Lowrie was Sarah Locklear. Other descendants of James Lowrie now living in this section are the following: Luther Dees and John Dees, sons of Silas Lowrie, who was a son of Thomas Lowrie, and Thomas Lowrie was a son of James Lowrie. Sinclair Lowrie and James Lowrie and Pert Ransom are all children of Allen Lowrie, who was a son of the original James Lowrie. This James Lowrie first lived in the upper part of Robeson County, now Hoke County. He afterwards moved to Harpers Ferry, on Lumber River, and maintained first a ferry and afterwards a toll bridge at that point. He laid out and constructed the Lowrie Road. Wash Lowrie says that this James Lowrie was a nephew of Col. John Lowrie, who was one time chief of the Cherokees and who signed a treaty on behalf of the Cherokees to the United States Government. He further states that he knew old John Brooks well, having seen him a number of times before he died. This John Brooks was a soldier in the Revolutionary War. (See application for pension in the records of the War Department at Washington.) Wash Lowrie says that old John Brooks died at the age of about 110 years. His application for pension states that he was about 90 or 96 years old when the pension was granted. Says that he was told by Aaron Revels, then 100 years old, and Daniel Lowrie, his father, then 73 years old, and Joe Chavis, age 90, that these Indians in Robeson County came from Roanoke, in Virginia. That after remaining in Robeson County for some time they went to the mountains with the other Cherokees, but a number returned on account of leaving relatives in Robeson County, where they had mixed with the other tribes and probably with several of the whites.

The United States census of 1790 shows only a few Indian families in Robeson County at the time of taking that census.

Wash Lowrie states further that he has often heard of Hugh Locklear, who served in the War of 1812, and that Nelson Locklear, now living in Robeson County, is a great grandson of this Hugh Locklear, and that Hector Locklear's wife is a great granddaughter. That he has often heard of Stephen Cumbo, who was a soldier in the War of 1812. That Abbie Cumbo, who married Allen Lowrie, was a daughter of this Stephen Cumbo.

This Wash Lowrie is now in very bad health, having suffered a stroke of paralysis, but his mind and memory seem to be good. He has many of the characteristics of the Indians. An enlarged photograph can be obtained, as he has one hanging in his bedroom.

OFFICE LETTER OF SEPTEMBER 14, 1914, TO A. W. McLEAN.

SEPTEMBER 14, 1914.

Mr. A. W. McLEAN,
President Bank of Lumberton, Lumberton, N. C.

DEAR SIR: The office has received your letter of September 7, 1914, submitting certain matter relating to the Indians of Robeson County, N. C., and the same has been referred to Special Agent McPherson for consideration in connection with his investigation of the affairs of said Indians, in obedience to Senate resolution 410 and the instructions of this office.

Very respectfully,

E. B. MERITT,
Assistant Commissioner.

EXHIBIT G.

HISTORY OF THE CHEROKEE INDIANS.

[From Nineteenth Annual Report of the Bureau of Ethnology.]

THE TRADITIONARY PERIOD.

The Cherokee were the mountaineers of the South, holding the entire Allegheny region from the interlocking head-streams of the Kanawha and the Tennessee southward almost to the site of Atlanta, and from the Blue Ridge on the east to the Cumberland Range on the west, a territory comprising an area of about 40,000 square miles, now included in the States of Virginia, Tennessee, North Carolina, South Carolina, Georgia, and Alabama. Their principal towns were upon the headwaters of the Savannah, Hiwassee, and Tuckasegee, and along the whole length of the Little Tennessee to its junction with the main stream. Itsâtî, or Echota, on the south bank of the Little Tennessee, a few miles above the mouth of Tellico River, in Tennessee, was commonly considered the capital of the nation. As the advancing whites pressed upon them from the east and northeast the more exposed towns were destroyed or abandoned and new settlements were formed lower down the Tennessee and on the upper branches of the Chattahoochee and the Coosa.

As is always the case with tribal geography, there were no fixed boundaries, and on every side the Cherokee frontiers were contested by rival claimants. In Virginia, there is reason to believe, the tribe was held in check in early days by the Powhatan and the Monacan. On the east and southeast the Tuscarora and Catawba were their inveterate enemies, with hardly even a momentary truce within the historic period; and evidence goes to show that the Sara or Cheraw were fully as hostile. On the south there was hereditary war with the Creeks, who claimed nearly the whole of upper Georgia as theirs by original possession, but who were being gradually pressed down toward the Gulf until, through the mediation of the United States, a treaty was finally made fixing the boundary between the two tribes along a line running about due west from the mouth of Broad River on the Savannah. Toward the west, the Chickasaw on the lower Tennessee and the Shawano on the Cumberland repeatedly turned back the tide of Cherokee invasion from the rich central valleys, while the powerful Iroquois in the far north set up an almost unchallenged claim of paramount lordship from the Ottawa River of Canada southward at least to the Kentucky River.

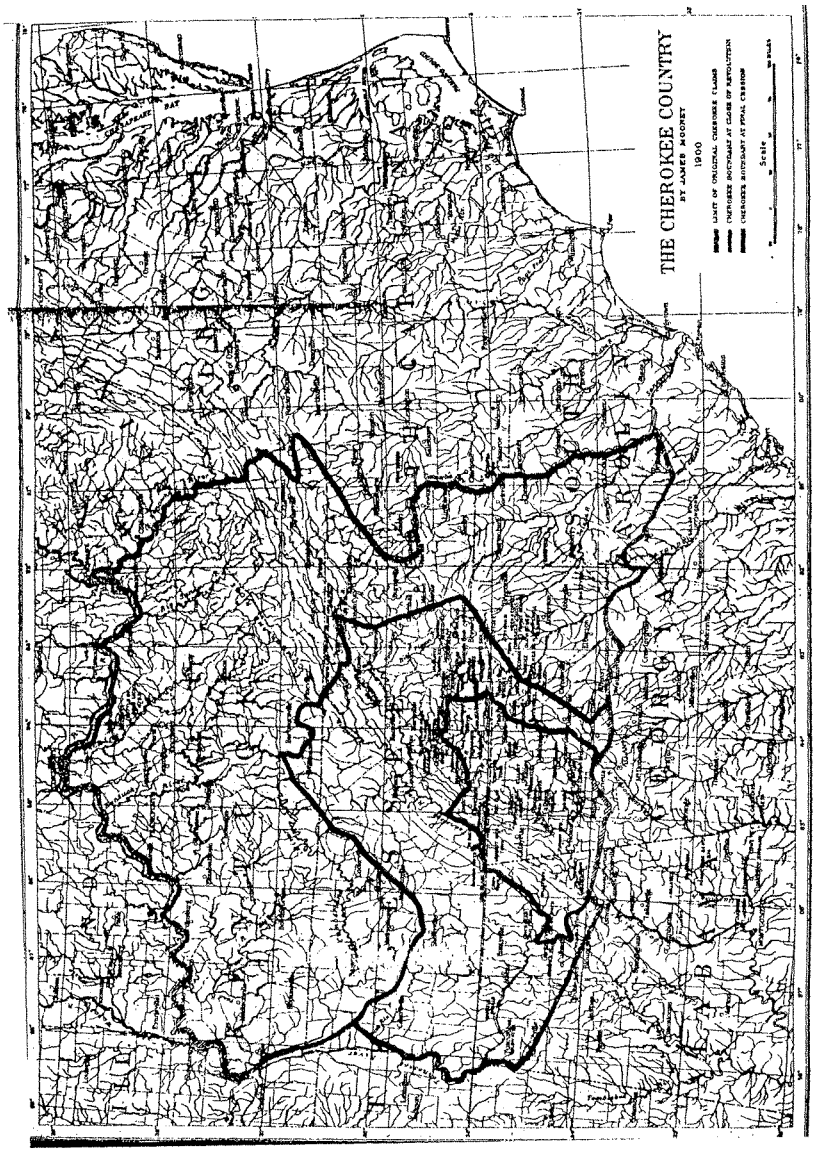
On the other hand, by their defeat of the Creeks and expulsion of the Shawano, the Cherokee made good the claim which they asserted to all the lands from upper Georgia to the Ohio River, including the rich hunting grounds of Kentucky. Holding as they did the great mountain barrier between the English settlements on the coast and the French or Spanish garrisons along the Mississippi and the Ohio, their geographic position, no less than their superior number, would

have given them the balance of power in the South but for a looseness of tribal organization in striking contrast to the compactness of the Iroquois league, by which for more than a century the French power was held in check in the north. The English, indeed, found it convenient to recognize certain chiefs as supreme in the tribe, but the only real attempt to weld the whole Cherokee Nation into a political unit was that made by the French agent, Priber, about 1736, which failed from its premature discovery by the English. We frequently find their kingdom divided against itself, their very number preventing unity of action, while still giving them an importance above that of neighboring tribes.

The proper name by which the Cherokee call themselves is Yûñ'wiyă', or Ani'-Yûñ'wiyă' in the third person, signifying "real people," or "principal people," a word closely related to Oñwe-hoñwe, the name by which the cognate Iroquois know themselves. The word properly denotes "Indians," as distinguished from people of other races, but in usage it is restricted to mean members of the Cherokee Tribe, those of other tribes being designated as Creek, Catawba, etc., as the case may be. On ceremonial occasions they frequently speak of themselves as Ani'-Kitu' hwagĭ, or "people of Kĭtu'hwa," an ancient settlement on Tuckasegee River and apparently the original nucleus of the tribe. Among the western Cherokee this name has been adopted by a secret society recruited from the full-blood element and pledged to resist the advances of the white man's civilization. Under the various forms of Cuttawa, Gattochwa, Kittuwa, etc., as spelled by different authors, it was also used by several northern Algonquian tribes as a synonym for Cherokee.

Cherokee, the name by which they are commonly known, has no meaning in their own language, and seems to be of foreign origin. As used among themselves the form is Tsa'lăgĭ' or Tsa'răgĭ'. It first appears as Chalaque in the Portuguese narrative of De Soto's expedition, published originally in 1557, while we find Cheraqui in a French document of 1699, and Cherokee as an English form as early, at least, as 1708. The name has thus an authentic history of 360 years. There is evidence that it is derived from the Choctaw word *choluk* or *chiluk*, signifying a pit or cave, and comes to us through the so-called Mobilian trade language, a corrupted Choctaw jargon formerly used as the medium of communication among all the tribes of the Gulf States, as far north as the mouth of the Ohio. Within this area many of the tribes were commonly known under Choctaw names, even though of widely differing linguistic stocks, and if such a name existed for the Cherokee it must undoubtedly have been communicated to the first Spanish explorers by De Soto's interpreters. This theory is borne out by their Iroquois (Mohawk) name, Oyata'ge'ronoñ', as given by Hewitt, signifying "inhabitants of the cave country," the Allegheny region being peculiarly a cave country, in which "rock shelters," containing numerous traces of Indian occupancy, are of frequent occurrence. Their Catawba name also, Mañtoraň, as given by Gatschet, signifying "coming out of the ground," seems to contain the same reference. Adair's attempt to connect the name Cherokee with their word for fire, *atsila*, is an error founded upon imperfect knowledge of the language.

Among other synonyms for the tribe are Rickahockan, or Rechahecrian, the ancient Powhatan name, and Tallige', or Tallige'wi, the



MAP OF THE CHEROKEE COUNTRY.

eign admixture, as of Natchez, Taskigi, or Shawano blood. There is some reason for believing that the people living on Nantahala River differed dialectically from their neighbors on either side.

The Iroquoian stock, to which the Cherokee belong, had its chief home in the North, its tribes occupying a compact territory which comprised portions of Ontario, New York, Ohio, and Pennsylvania, and extended down the Susquehanna and Chesapeake Bay almost to the latitude of Washington. Another body, including the Tuscarora, Nottoway, and perhaps also the Meherrin, occupied territory in northeastern North Carolina and the adjacent portion of Virginia. The Cherokee themselves constituted the third and southernmost body. It is evident that tribes of common stock must at one time have occupied contiguous territories, and such we find to be the case in this instance. The Tuscarora and Meherrin, and presumably also the Nottoway, are known to have come from the north, while traditional and historical evidence concur in assigning to the Cherokee as their early home the region about the headwaters of the Ohio, immediately to the southward of their kinsmen, but bitter enemies, the Iroquois. The theory which brings the Cherokees from northern Iowa and the Iroquois from Manitoba is unworthy of serious consideration.

The most ancient tradition concerning the Cherokee appears to be the Delaware tradition of the expulsion of the Talligewi from the North as first noted by the missionary Heckewelder in 1819, and published more fully by Brinton in the Walam Olum in 1885. According to the first account, the Delawares, advancing from the west, found their further progress opposed by a powerful people called Alligewi or Talligewi, occupying the country upon a river which Heckewelder thinks identical with the Mississippi, but which the sequel shows was more probably the Upper Ohio. They were said to have regularly built earthen fortifications, in which they defended themselves so well that at last the Delawares were obliged to seek the assistance of the "Mengwe," or Iroquois, with the result that after a warfare extending over many years the Alligewi finally received a crushing defeat, the survivors fleeing down the river and abandoning the country to the invaders, who thereupon parceled it out amongst themselves, the "Mengwe" choosing the portion about the Great Lakes while the Delawares took possession of that to the south and east. The missionary adds that the Alleghony (and Ohio) River was still called by the Delawares the Alligewi Sipu, or river of the Alligewi. This would seem to indicate it as the true river of the tradition. He speaks also of remarkable earthworks seen by him in 1789 in the neighborhood of Lake Erie, which were said by the Indians to have been built by the extirpated tribe as defensive fortifications in the course of this war. Near two of these, in the vicinity of Sandusky, he was shown mounds under which it was said some hundreds of the slain Talligewi were buried.[1] As is usual in such traditions, the Alligewi were said to have been of giant stature, far exceeding their conquerors in size.

In the Walam Olum, which is, it is asserted, a metrical translation of an ancient hieroglyphic bark record discovered in 1820, the main tradition is given in practically the same way, with an appendix which follows the fortunes of the defeated tribe up to the beginning of the historic period, thus completing the chain of evidence.

[1] Hockewelder, John, Indian Nations of Pennsylvania, pp. 47-49, ed. 1876.

ancient name used in the Walam Olum chronicle of the Lenape'. Concerning both the application and the etymology of this last name there has been much dispute, but there seems no reasonable doubt as to the identity of the people.

Linguistically the Cherokee belong to the Iroquoian stock, the relationship having been suspected by Barton over a century ago, and by Gallatin and Hale at a later period, and definitely established by Hewitt in 1887.[1] While there can now be no question of the connection, the marked lexical and grammatical differences indicate that the separation must have occurred at a very early period. As is usually the case with a large tribe occupying an extensive territory, the language is spoken in several dialects, the principal of which may, for want of other names, be conveniently designated as the Eastern, Middle, and Western. Adair's classification into "Ayrate" (*e'ladĭ*), or low, and "Ottare" (*â'talĭ*), or mountainous, must be rejected as imperfect.

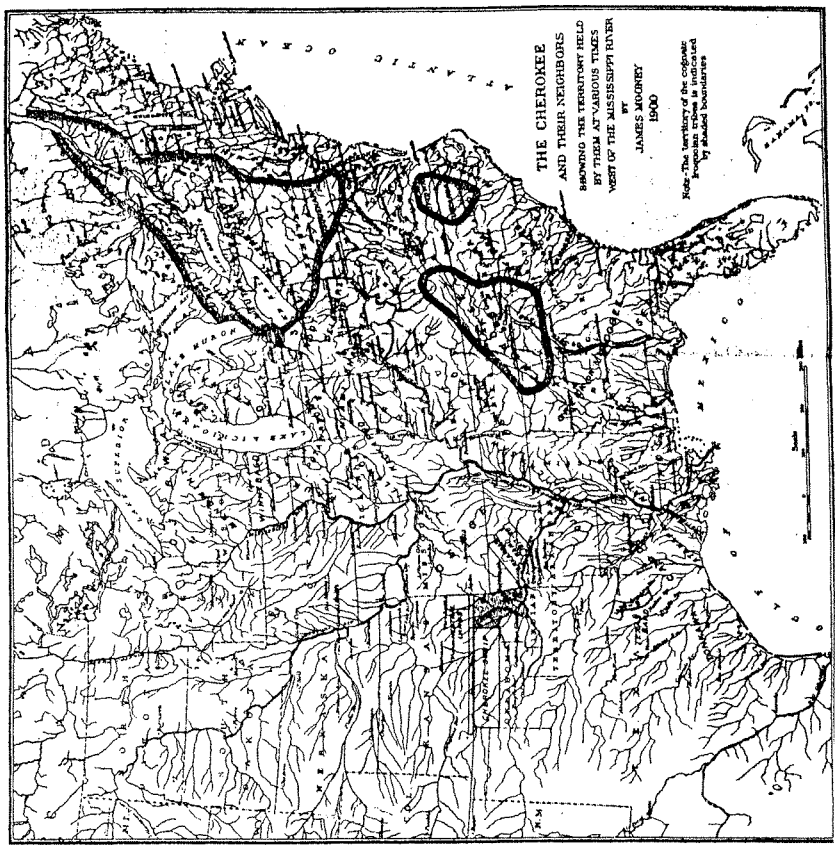
The Eastern dialect, formerly often called the Lower Cherokee dialect, was originally spoken in all the towns upon the waters of the Keowee and Tugaloo, head streams of Savannah River, in South Carolina and the adjacent portion of Georgia. Its chief peculiarity is a rolling *r*, which takes the place of the *l* of the other dialects. In this dialect the tribal name is Tsa'răgĭ', which the English settlers of Carolina corrupted to Cherokee, while the Spaniards, advancing from the south, became better familiar with the other form, which they wrote as Chalaque. Owing to their exposed frontier position, adjoining the white settlements of Carolina, the Cherokee of this division were the first to feel the shock of war in the campaigns of 1760 and 1776, with the result that before the close of the Revolution they had been completely extirpated from their original territory and scattered as refugees among the more western towns of the tribe. The consequence was that they lost their distinctive dialect, which is now practically extinct. In 1888 it was spoken by but one man on the reservation in North Carolina.

The Middle dialect, which might properly be designated the Kituhwa dialect, was originally spoken in the towns on the Tuckasegee and the headwaters of the Little Tennessee, in the very heart of the Cherokee country, and is still spoken by the great majority of those now living on the Qualla Reservation. In some of its phonetic forms it agrees with the Eastern dialect, but resembles the Western in having the *l* sound.

The Western dialect was spoken in most of the towns of east Tennessee and upper Georgia and upon Hiwassee and Cheowa Rivers in North Carolina. It is the softest and most musical of all the dialects of this musical language, having a frequent liquid *l* and eliding many of the harsher consonants found in the other forms. It is also the literary dialect, and is spoken by most of those now constituting the Cherokee Nation in the West.

Scattered among the other Cherokee are individuals whose pronunciation and occasional peculiar terms for familiar objects give indication of a fourth and perhaps a fifth dialect, which can not now be localized. It is possible that these differences may come from for-

[1] Barton, Benj. S., New Views on the Origin of the Tribes and Nations of America, p. xiv, passim; Phila., 1797; Gallatin, Albert, Synopsis of Indian Tribes, Trans. American Antiquarian Society, ii, p. 91; Cambridge, 1836; Hewitt, J. N. B., The Cherokee an Iroquoian Language, Washington, 1887, (MS. in the archives of the Bureau of American Ethnology).


THE CHEROKEE
AND THEIR NEIGHBORS
SHOWING THE TERRITORY HELD
BY THEM AT VARIOUS TIMES
WEST OF THE MISSISSIPPI RIVER
BY
JAMES MOONEY
1900
Note.-The territory of the cognate
Iroquoian tribes is indicated
by shaded boundaries
ATLANTIC OCEAN
LAKE MICHIGAN
LAKE HURON
LAKE SUPERIOR
Scale

In the Walam Olum also we find the Delawares advancing from the west or northwest until they come to "Fish River"—the same which Heckewelder makes the Mississippi. On the other side, we are told, "The Talligewi possessed the East." The Delaware chief "desired the eastern land," and some of his people go on, but are killed by the Talligewi. The Delawares decide upon war and call in the help of their northern friends, the "Talamatan," i. e., the Wyandot and other allied Iroquoian Tribes. A war ensues which continues through the terms of four successive chiefs, when victory declares for the invaders, and "all the Talega go south." The country is then divided, the Talamatan taking the northern portion, while the Delawares "stay south of the lakes." The chronicle proceeds to tell how, after eleven more chiefs have ruled, the Nanticoke and Shawano separate from the parent tribe and remove to the south. Six other chiefs follow in succession until we come to the seventh, who "went to the Talega Mountains." By this time the Delawares have reached the ocean. Other chiefs succeed, after whom "the Easterners and the Wolves"—probably the Mahican or Wappinger and the Munsee—move off to the northeast. At last, after six more chiefs, "the whites came on the eastern sea," by which is probably meant the landing of the Dutch on Manhattan in 1609. We may consider this a tally date, approximating the beginning of the seventeenth century. Two more chiefs rule, and of the second we are told that "He fought at the south; he fought in the land of the Talega and Koweta," and again the fourth chief after the coming of the whites "went to the Talega." We have thus a traditional record of a war of conquest carried on against the Talligewi by four successive chiefs, and a succession of about twenty-five chiefs between the final expulsion of that tribe and the appearance of the whites, in which interval the Nanticoke, Shawano, Mahican, and Munsee branched off from the parent tribe of the Delawares. Without venturing to entangle ourselves in the devious maze of Indian chronology, it is sufficient to note that all this implies a very long period of time—so long, in fact, that during it several new tribes, each of which in time developed a distinct dialect, branch off from the main Lenapé stem. It is distinctly stated that all the Talega went south after their final defeat; and from later references we find that they took refuge in the mountain country in the neighborhood of the Koweta (the Creeks), and that Delaware war parties were still making raids upon both these tribes long after the first appearance of the whites.

Although at first glance it might be thought that the name Talligewi is but a corruption of Tsalagi, a closer study leads to the opinion that is a true Delaware word, in all probability connected with *waloh* or *walok*, signifying a cave or hole (Zeisberger), whence we find in the Walam Olum the word *oligonunk* rendered as "at the place of caves." It would thus be an exact Delaware rendering of the same name, "people of the cave country," by which, as we have seen, the Cherokee were commonly known among the tribes. Whatever may be the origin of the name itself, there can be no reasonable doubt as to its application. "Name, location, and legends combine to identify the Cherokees or Tsalaki with the Tallike; and this is as much evidence as we can expect to produce in such researches." [1]

[1] Brinton, D. G., Walam Olum, p. 231; Phila., 1885.

The Wyandot confirm the Delaware story and fix the identification of the expelled tribe. According to their tradition, as narrated in 1802, the ancient fortifications in the Ohio Valley had been erected in the course of a long war between themselves and the Cherokee, which resulted finally in the defeat of the latter.[1]

The traditions of the Cherokee, so far as they have been preserved, supplement and corroborate those of the northern tribes, thus bringing the story down to their final settlement upon the headwaters of the Tennessee in the rich valleys of the southern Alleghenies. Owing to the Cherokee predilection for new gods, contrasting strongly with the conservatism of the Iroquois, their ritual forms and national epics had fallen into decay even before the Revolution, as we learn from Adair. Some vestiges of their migration legend still existed in Haywoods's time, but it is now completely forgotten both in the East and in the West.

According to Haywood, who wrote in 1823 on information obtained directly from leading members of the tribe long before the Removal, the Cherokee formerly had a long migration legend, which was already lost, but which, within the memory of the mother of one informant—say about 1750—was still recited by chosen orators on the occasion of the annual green-corn dance. This migration legend appears to have resembled that of the Delawares and the Creeks in beginning with genesis and the period of animal monsters, and thence following the shifting fortune of the chosen band to the historic period. The tradition recited that they had originated in a land toward the rising sun, where they had been placed by the command of "the four councils sent from above." In this pristine home were great snakes and water monsters, for which reason it was supposed to have been near the seacoast, although the assumption is not a necessary corollary, as these are a feature of the mythology of all the eastern tribes. After this genesis period there began a slow migration, during which "towns of people in many nights' encampment removed," but no details are given. From Heckewelder it appears that the expression, "a night's encampment," which occurs also in the Delaware migration legend, is an Indian figure of speech for a halt of one year at a place.[2]

In another place Haywood says, although apparently confusing the chronologic order of events: "One tradition which they have amongst them says they came from the west and exterminated the former inhabitants; and then says they came from the upper parts of the Ohio, where they erected the mounds on Grave creek, and that they removed thither from the country where Monticello (near Charlottesville, Virginia) is situated."[3] The first reference is to the celebrated mounds on the Ohio near Moundsville, below Wheeling, West Virginia; the other is doubtless to a noted burial mound described by Jefferson in 1781 as then existing near his home, on the low grounds of Rivanna river opposite the site of an ancient Indian town. He himself had opened it and found it to contain perhaps a thousand disjointed skeletons of both adults and children, the bones piled in successive layers, those near the top being least decayed. They showed no signs of violence, but were evidently the accumulation of long years from the neighboring Indian town. The distinguished

[1] Schoolcraft, H. R., Notes on the Iroquois, p. 162. Albany, 1847.
[2] Heckewelder, Indian Nations, p. 47, ed. 1876.
[3] Haywood, John, Natural and Aboriginal History of Tennessee, pp. 225-226; Nashville, 1823.

writer adds: "But on whatever occasion they may have been made, they are of considerable notoriety among the Indians: for a party passing, about thirty years ago (i. e., about 1750), through the part of the country where this barrow is, went through the woods directly to it without any instructions or inquiry, and having staid about it some time, with expression which were construed to be those of sorrow, they returned to the high road, which they had left about half a dozen miles to pay this visit, and pursued their journey."[1] Although the tribe is not named, the Indians were probably Cherokee, as no other southern Indians were then accustomed to range in that section. As serving to corroborate this opinion we have the statement of a prominent Cherokee chief, given to Schoolcraft in 1846, that according to their tradition his people had formerly lived at the Peaks of Otter, in Virginia, a noted landmark of the Blue Ridge, near the point where Staunton river breaks through the mountains.[2]

From a careful sifting of the evidence Haywood concludes that the authors of the most ancient remains in Tennessee had spread over that region from the south and southwest at a very early period, but that the later occupants, the Cherokee, had entered it from the north and northeast in comparatively recent times, overrunning and exterminating the aborigines. He declares that the historical fact seems to be established that the Cherokee entered the country from Virginia, making temporary settlements upon New River and the upper Holston, until, under the continued hostile pressure from the north, they were again forced to remove farther to the south, fixing themselves upon the Little Tennessee, in what afterward became known as the middle towns. By a leading mixed blood of the tribe he was informed that they had made their first settlements within their modern home territory upon Nolichucky River, and that, having lived there for a long period, they could give no definite account of an earlier location. Echota, their capital and peace town, "claimed to be the eldest brother in the nation," and the claim was generally acknowledged.[3] In confirmation of the statement as to an early occupancy of the upper Holston region, it may be noted that "Watauga Old Fields," now Elizabethtown, were so called from the fact that when the first white settlement within the present State of Tennessee was begun there, so early as 1769, the bottom lands were found to contain graves and other numerous ancient remains of a former Indian town which tradition ascribed to the Cherokee, whose nearest settlements were then many miles to the southward.

While the Cherokee claimed to have built the mounds on the upper Ohio, they yet, according to Haywood, expressly disclaimed the authorship of the very numerous mounds and petroglyphs in their later home territory, asserting that these ancient works had exhibited the same appearance when they themselves had first occupied the region.[4] This accords with Bartram's statement that the Cherokee, although sometimes utilizing the mounds as sites for their own town houses, were as ignorant as the whites of their origin or purpose, having only a general tradition that their forefathers had found them in much the same condition on first coming into the country.[5]

[1] Jefferson, Thomas, Notes on Virginia, pp. 134-137; ed. Boston, 1802.
[2] Schoolcraft, Notes on the Iroquois, p. 162, 1847.
[3] Haywood, Natural and Aboriginal History of Tennessee, pp. 223, 276, 289, 1823.
[4] Haywood, Nat. and Aborig. Hist. Tennessee, pp. 226, 234, 1823.
[5] Bartram, Wm., Travels, p. 366; reprint, London, 1792.

Although, as has been noted, Haywood expresses the opinion that the invading Cherokee had overrun and exterminated the earlier inhabitants, he says in another place, on half-breed authority, that the newcomers found no Indians upon the waters of the Tennessee, with the exception of some Creeks living upon that river, near the mouth of the Hiwassee, the main body of that tribe being established upon and claiming all the streams to the southward.[1] There is considerable evidence that the Creeks preceded the Cherokee, and within the last century they still claimed the Tennessee, or at least the Tennessee watershed, for their northern boundary.

There is a dim but persistent tradition of a strange white race preceding the Cherokee, some of the stories even going so far as to locate their former settlements and to identify them as the authors of the ancient works found in the country. The earliest reference appears to be that of Barton in 1797, on the statement of a gentleman whom he quotes as a valuable authority upon the southern tribes. "The Cheerake tell us, that when they first arrived in the country which they inhabit, they found it possessed by certain 'moon-eyed people,' who could not see in the daytime. These wretches they expelled." He seems to consider them an albino race.[2] Haywood, twenty-six years later, says that the invading Cherokee found "white people" near the head of the Little Tennessee, with forts extending thence down the Tennessee as far as Chickamauga Creek. He gives the location of three of these forts. The Cherokee made war against them and drove them to the mouth of Big Chickamauga Creek, where they entered into a treaty and agreed to remove if permitted to depart in peace. Permission being granted, they abandoned the country. Elsewhere he speaks of this extirpated white race as having extended into Kentucky and probably also into western Tennessee, according to the concurrent traditions of different tribes. He describes their houses, on what authority is not stated, as having been small circular structures of upright logs, covered with earth which had been dug out from the inside.[3]

Harry Smith, a half-breed born about 1815, father of the late chief of the East Cherokee, informed the author that when a boy he had been told by an old woman a tradition of a race of very small people, perfectly white, who once came and lived for some time on the site of the ancient mound on the northern side of Hiwassee, at the mouth of Peachtree Creek, a few miles above the present Murphy, North Carolina. They afterward removed to the West. Colonel Thomas, the white chief of the East Cherokee, born about the beginning of the century, had also heard a tradition of another race of people, who lived on Hiwassee, opposite the present Murphy, and warned the Cherokee that they must not attempt to cross over to the south side of the river or the great leech in the water would swallow them.[4] They finally went west, "long before the whites came." The two stories are plainly the same, although told independently and many miles apart.

[1] Haywood, op. cit., pp. 224-227.
[2] Barton, New View, p. xliv, 1797.
[3] Haywood, Nat. and Aborig. Hist. Tennessee, pp. 188, 224-225, 267-269, 1922.
[4] See story, "The Great Leech of Tlanusi'yi," p. 328.

THE PERIOD OF SPANISH EXPLORATION—1540-[1]

The definite history of the Cherokee begins with the year 1540, at which date we find them already established, where they were always afterward known, in the mountains of Carolina and Georgia. The earliest Spanish adventurers failed to penetrate so far into the interior, and the first entry into their country was made by De Soto, advancing up the Savannah on his fruitless quest for gold, in May of that year.

While at Cofitachiqui, an important Indian town on the lower Savannah governed by a "queen," the Spaniards had found hatchets and other objects of copper, some of which was of finer color and appeared to be mixed with gold, although they had no means of testing it.[1] On inquiry they were told that the metal had come from an interior mountain province called Chisca, but the country was represented as thinly peopled and the way as impassable for horses. Some time before, while advancing through eastern Georgia, they had heard also of a rich and plentiful province called Coca, toward the northwest, and by the people of Cofitachiqui they were now told that Chiaha, the nearest town of Coca province, was twelve days inland. As both men and animals were already nearly exhausted from hunger and hard travel, and the Indians either could not or would not furnish sufficient provision for their needs, De Soto determined not to attempt the passage of the mountains then, but to push on at once to Coca, there to rest and recuperate before undertaking further exploration. In the meantime he hoped also to obtain more definite information concerning the mines. As the chief purpose of the expedition was the discovery of the mines, many of the officers regarded this change of plan as a mistake, and favored staying where they were until the new crop should be ripened, then go directly into the mountains, but as the general was "a stern man and of few words," none ventured to oppose his resolution.[2] The province of Coca was the territory of the Creek Indians, called Ani'-Kusa by the Cherokee, from Kusa, or Coosa, their ancient capital, while Chiaha was identical with Chehaw, one of the principal Creek towns on Chattahoochee River. Cofitachiqui may have been the capital of the Uchee Indians.

The outrageous conduct of the Spaniards had so angered the Indian queen that she now refused to furnish guides and carriers, whereupon De Soto made her a prisoner, with the design of compelling her to act as guide herself, and at the same time to use her as a hostage to command the obedience of her subjects. Instead, however, of conducting the Spaniards by the direct trail toward the west, she led them far out of their course until she finally managed to make her escape, leaving them to find their way out of the mountains as best they could.

Departing from Cofitachiqui, they turned first toward the north, passing through several towns subject to the queen, to whom, although a prisoner, the Indians everywhere showed great respect and obedience, furnishing whatever assistance the Spaniards compelled her to demand for their own purposes. In a few days they came to "a province called Chalaque," the territory of the Cherokee Indians, probably upon the waters of Keowee River, the eastern head stream of the Savannah. It is described as the poorest country for corn that

[1] Garcilaso de la Vega, La Florida del Inca, pp. 128, 132-134; Madrid, 1723.
[2] Gentleman of Elvas, Publications of the Hakluyt Society, ch. xxx, 44-55, 64; London, 1851.

they had yet seen, the inhabitants subsisting on wild roots and herbs and on game which they killed with bows and arrows. They were naked, lean, and unwarlike. The country abounded in wild turkeys ("gallinas"), which the people gave very freely to the strangers, one town presenting them with seven hundred. A chief also gave De Soto two deerskins as a great present.[1] Garcilaso, writing on the authority of an old soldier nearly fifty years afterward, says that the "Chalaques" deserted their towns on the approach of the white men and fled to the mountains, leaving behind only old men and women and some who were nearly blind.[2] Although it was too early for the new crop, the poverty of the people may have been more apparent than real, due to their unwillingness to give any part of their stored-up provision to the unwelcome strangers. As the Spaniards were greatly in need of corn for themselves and their horses, they made no stay, but hurried on. In a few days they arrived at Guaquili, which is mentioned only by Ranjel, who does not specify whether it was a town or a province—i. e., a tribal territory. It was probably a small town. Here they were welcomed in a friendly manner, the Indians giving them a little corn and many wild turkeys, together with some dogs of a peculiar small species, which were bred for eating purposes and did not bark.[3] They were also supplied with men to help carry the baggage. The name Guaquili has a Cherokee sound and may be connected with *wa'gult'*, "whippoorwill," *uwá' gi'ĭ*, "foam," or *gi'lĭ*, "dog."

Traveling still toward the north, they arrived a day or two later in the province of Xuala, in which we recognize the territory of the Suwali, Sara, or Cheraw Indians, in the piedmont region about the head of Broad River in North Carolina. Garcilaso, who did not see it, represents it as a rich country, while the Elvas narrative and Biedma agree that it was a rough, broken country, thinly inhabited and poor in provision. According to Garcilaso, it was under the rule of the queen of Cofitachiqui, although a distinct province in itself.[4] The principal town was beside a small rapid stream, close under a mountain. The chief received them in friendly fashion, giving them corn, dogs of the small breed already mentioned, carrying baskets, and burden bearers. The country roundabout showed greater indications of gold mines than any they had yet seen.[5]

Here De Soto turned to the west, crossing a very high mountain range, which appears to have been the Blue Ridge, and descending on the other side to a stream flowing in the opposite direction, which was probably one of the upper tributaries of the French Broad.[6] Although it was late in May, they found it very cold in the mountains.[7] After several days of such travel they arrived, about the end of the month, at the town of Guasili, or Guaxule. The chief and principal men came out some distance to welcome them, dressed in fine robes of skins, with feather head dresses, after the fashion of the country. Before reaching this point the queen had managed to make her escape, together with three slaves of the Spaniards, and the last that was heard of her was that she was on her way back to her own

[1] Gentleman of Elvas, Publications of the Hakluyt Society, IX, p. 60, London, 1851.
[2] Garcilaso, La Florida del Inca, p. 136, ed. 1723.
[3] Ranjel, in Oviedo, Historia General y Natural de las Indias, I, p. 562; Madrid, 1851.
[4] Garcilaso, La Florida del Inca, p. 127, 1723.
[5] See note 8, De Soto's route.
[6] Ranjel, op. cit., I, p. 562.

country with one of the runaways as her husband. What grieved De Soto most in the matter was that she took with her a small box of pearls, which he had intended to take from her before releasing her, but had left with her for the present in order "not to discontent her altogether."[1]

Guaxule is described as a very large town surrounded by a number of small mountain streams which united to form the large river down which the Spaniards proceeded after leaving the place.[2] Here, as elsewhere, the Indians received the white men with kindness and hospitality—so much so that the name of Guaxule became to the army a synonym for good fortune.[3] Among other things they gave the Spaniards 300 dogs for food, although, according to the Elvas narrative, the Indians themselves did not eat them.[4] The principal officers of the expedition were lodged in the "chief's house," by which we are to understand the townhouse, which was upon a high hill with a roadway to the top.[5] From a close study of the narrative it appears that this "hill" was no other than the great Nacoochee mound, in White county, Georgia, a few miles northwest of the present Clarkesville.[6] It was within the Cherokee territory, and the town was probably a settlement of that tribe. From here De Soto sent runners ahead to notify the chief of Chiaha of his approach, in order that sufficient corn might be ready on his arrival.

Leaving Guaxule, they proceeded down the river, which we identify with the Chattahoochee, and in two days arrived at Canasoga, or Canasagua, a frontier town of the Cherokee. As they neared the town they were met by the Indians, bearing baskets of "mulberries,"[7] more probably the delicious service berry of the southern mountains, which ripens in the early summer, while the mulberry matures later.

From here they continued down the river, which grew constantly larger, through an uninhabited country which formed the disputed territory between the Cherokee and the Creeks. About five days after leaving Canasagua they were met by messengers, who escorted them to Chiaha, the first town of the province of Coça. De Soto had crossed the State of Georgia, leaving the Cherokee country behind him, and was now among the Lower Creeks, in the neighborhood of the present Columbus, Georgia. With his subsequent wanderings after crossing the Chattahoochee into Alabama and beyond we need not concern ourselves.

While resting at Chiaha De Soto met with a chief who confirmed what the Spaniards had heard before concerning mines in the province of Chisca, saying that there was there "a melting of copper" and of another metal of about the same color, but softer, and therefore not so much used.[8] The province was northward from Chiaha, somewhere in upper Georgia or the adjacent part of Alabama or Tennessee, through all of which mountain region native copper is found. The other mineral, which the Spaniards understood to be gold, may have been iron pyrites, although there is some evidence that the Indians occasionally found and shaped gold nuggets.

[1] Elvas, Hakluyt Society, IX, p. 61, 1851.
[2] Garcilaso, op. cit., p. 136.
[3] Ranjel, in Oviedo, Historia, I, p. 563, 1851.
[4] Elvas, Biedma, and Ranjel all make special references to the dogs given them at this place. They seem to have been of the same small breed ("perrillos") which Ranjel says the Indians used for food.
[5] Garcilaso, La Florida del Inca, p. 136, 1723.
[6] See note 8, De Soto's route.
[7] See Elvas, Hakluyt Society, IX, p. 61, 1851; and Ranjel, op. cit., p. 563.
[8] Elvas, op. cit., p. 64.

Accordingly two soldiers were sent on foot with Indian guides to find Chisca and learn the truth of the stories. They rejoined the army some time after the march had been resumed, and reported according to the Elvas chronicler, that their guides had taken them through a country so poor in corn, so rough, and over so high mountains that it would be impossible for the army to follow; wherefore, as the way grew long and lingering, they had turned back after reaching a little poor town where they saw nothing that was of any profit. They brought back with them a dressed buffalo skin which the Indians there had given them, the first ever obtained by white men, and described in the quaint old chronicle as "an ox hide as thin as a calf's skin, and the hair like a soft wool between the coarse and fine wool of sheep."[1]

Garcilaso's glowing narrative gives a somewhat different impression. According to this author the scouts returned full of enthusiasm for the fertility of the country, and reported that the mines were of a fine species of copper, and had indications also of gold and silver, while their progress from one town to another had been a continual series of feastings and Indian hospitalities.[2] However that may have been, De Soto made no further effort to reach the Cherokee mines, but continued his course westward through the Creek country, having spent altogether a month in the mountain region.

There is no record of any second attempt to penetrate the Cherokee country for twenty-six years. In 1561 the Spaniards took formal possession of the Bay of Santa Elena, now Saint Helena, near Port Royal, on the coast of South Carolina. The next year the French made an unsuccessful attempt at settlement at the same place, and in 1566 Menendez made the Spanish occupancy sure by establishing there a fort which he called San Felipe.[3] In November of that year Captain Juan Pardo was sent with a party from the fort to explore the interior. Accompanied by the chief of "Juada" (which from Vandera's narrative we find should be "Joara," i. e., the Sara Indians already mentioned in the De Soto chronicle), he proceeded as far as the territory of that tribe, where he built a fort, but on account of the snow in the mountains did not think it advisable to go farther, and returned, leaving a sergeant with thirty soldiers to garrison the post. Soon after his return he received a letter from the sergeant stating that the chief of Chisca—the rich mining country of which De Soto had heard—was very hostile to the Spaniards, and that in a recent battle the latter had killed a thousand of his Indians and burned fifty houses with almost no damage to themselves. Either the sergeant or his chronicler must have been an unconscionable liar, as it was asserted that all this was done with only fifteen men. Immediately afterward, according to the same story, the sergeant marched with twenty men about a day's distance in the mountains against another hostile chief, whom he found in a strongly palisaded town, which, after a hard fight, he and his men stormed and burned, killing fifteen hundred Indians without losing a single man themselves. Under instructions from his superior officer, the sergeant with his small party then proceeded to explore what lay beyond, and, taking a road which they were told led to the territory of a great chief, after four

[1] Elvas, Bahkerji Society, iii, p. 86, 1851.
[2] Garcilaso, La Florida del Inca, p. 141, ed. 1723.
[3] Shea, J. G., in Winsor, Justin, Narrative and Critical History of America, ii, pp. 269, 273. Boston, 1886.

days of hard marching they came to his town, called Chiaha (Chicha, by mistake in the manuscript translation), the same where De Soto had rested. It is described at this time as palisaded and strongly fortified, with a deep river on each side, and defended by over three thousand fighting men, there being no women or children among them. It is possible that in view of their former experience with the Spaniards, the Indians had sent their families away from the town, while at the same time they may have summoned warriors from the neighboring Creek towns in order to be prepared for any emergency. However, as before, they received the white men with the greatest kindness, and the Spaniards continued for twelve days through the territories of the same tribe until they arrived at the principal town (Kusa ?), where, by the invitation of the chief, they built a small fort and awaited the coming of Pardo, who was expected to follow with a larger force from Santa Elena, as he did in the summer of 1567, being met on his arrival with every show of hospitality from the Creek chiefs. This second fort was said to be one hundred and forty leagues distant from that in the Sara country, which latter was called one hundred and twenty leagues from Santa Elena.[1]

In the summer of 1567, according to previous agreement, Captain Pardo left the fort at Santa Elena with a small detachment of troops, and after a week's travel, sleeping each night at a different Indian town, arrived at "Canos, which the Indians call Canosi, and by another name, Cofetaçque" (the Cofitachiqui of the De Soto chronicle), which is described as situated in a favorable location for a large city, fifty leagues from Santa Elena, to which the easiest road was by a river (the Savannah) which flowed by the town, or by another which they had passed ten leagues farther back. Proceeding, they passed Jagaya, Gueza, and Arauchi, and arrived at Otariyatiqui, or Otari, in which we have perhaps the Cherokee *â'târi* or *â'âtaï*, "mountain." It may have been a frontier Cherokee settlement, and, according to the old chronicler, its chief and language ruled much good country. From here a trail went northward to Guatari, Sauxpa, and Usi, i. e., the Wateree, Waxhaw (or Sissipahaw ?), and Ushery or Catawba.

Leaving Otariyatiqui, they went on to Quinahaqui, and then, turning to the left, to Issa, where they found mines of crystal (mica ?). They came next to Aguaquiri (the Guaquili of the De Soto chronicle), and then to Joara, "near to the mountain, where Juan Pardo arrived with his sergeant on his first trip." This, as has been noted, was the Xuala of the De Soto chronicle, the territory of the Sara Indians, in the foothills of the Blue Ridge, southeast from the present Asheville, North Carolina. Vandera makes it one hundred leagues from Santa Elena, while Martínez, already quoted, makes the distance one hundred and twenty leagues. The difference is not important, as both statements were only estimates. From there they followed "along the mountains" to Tocax (Toxaway ?), Cauchi (Nacoochee ?), and Tanasqui—apparently Cherokee towns, although the forms can not be identified—and after resting three days at the last-named place went on "to Solameco, otherwise called Chiaha," where the sergeant met them. The combined forces afterward went on, through Cossa (Kusa), Tasquiqui (Taskigi), and other Creek towns, as far as Tasca-

[1] Narrative of Pardo's expedition by Martinez, about 1568, Brooks manuscripts.

the alarm, as they saw the restless borderers pushing every year farther into the Indian country. As early as 1748 Dr. Thomas Walker, with a company of hunters and woodsmen from Virginia, crossed the mountains to the southwest, discovering and naming the celebrated Cumberland Gap and passing on to the headwaters of Cumberland River. Two years later he made a second exploration and penetrated to Kentucky River, but on account of the Indian troubles no permanent settlement was then attempted.[1] This invasion of their territory awakened a natural resentment of the native owners, and we find proof also in the Virginia records that the irresponsible borderers seldom let pass an opportunity to kill and plunder any stray Indian found in their neighborhood.

In 1755 the Cherokee were officially reported to number 2,590 warriors, as against probably twice that number previous to the great smallpox epidemic sixteen years before. Their neighbors and ancient enemies, the Catawba, had dwindled to 240 men.[2]

Although war was not formally declared by England until 1756, hostilities in the seven years' struggle between France and England, commonly known in America as the "French and Indian War," began in April, 1754, when the French seized a small post which the English had begun at the present site of Pittsburg, and which was afterward finished by the French under the name of Fort Du Quesne. Strenuous efforts were made by the English to secure the Cherokee to their interest against the French and their Indian allies, and treaties were negotiated by which they promised assistance.[3] As these treaties, however, carried the usual cessions of territory, and stipulated for the building of several forts in the heart of the Cherokee country, it is to be feared that the Indians were not duly impressed by the disinterested character of the proceeding. Their preference for the French was but thinly veiled, and only immediate policy prevented them from throwing their whole force into the scale on that side. The reasons for this preference are given by Timberlake, the young Virginian officer who visited the tribe on an embassy of conciliation a few years later:

> I found the nation much attached to the French, who have the prudence, by familiar politeness—which costs but little and often does a great deal—and conforming themselves to their ways and temper, to conciliate the inclinations of almost all the Indians they are acquainted with, while the pride of our officers often disgusts them. Nay, they did not scruple to own to me that it was the trade alone that induced them to make peace with us, and not any preference to the French, whom they loved a great deal better. . . . . The English are now so nigh, and encroached daily so far upon them, that they not only felt the bad effects of it in their hunting grounds, which were spoiled, but had all the reason in the world to apprehend being swallowed up by so potent neighbors or driven from the country inhabited by their fathers, in which they were born and brought up, in fine, their native soil, for which all men have a particular tenderness and affection.

He adds that only dire necessity had induced them to make peace with the English in 1761.[4]

In accordance with the treaty stipulations, Fort Prince George was built in 1756 adjoining the important Cherokee town of Keowee, on the headwaters of the Savannah, and Fort Loudon near the junction

[1] Walker, Thomas, Journal of an Exploration, etc., pp. 5, 25-27; Boston, 1888; Monette (Valley of the Miss. I, p. 327; New York, 1848) erroneously makes the second date 1758.
[2] Letter of Governor Dobbs, 1756, in North Carolina Colonial Records, v, pp. 330, 331, 1887.
[3] Ramsey, Tennessee, pp. 50-53, 1853; Royce, Cherokee Nation, in Fifth Ann. Rep. Bur. of Ethnology, p. 146, 1888.
[4] Timberlake, Henry, Memoirs, pp. 72, 74; London, 1765.

of Tellico River with the Little Tennessee, in the center of the Cherokee towns beyond the mountains.[1] By special arrangement with the influential chief, Ata-kullakulla (Ätä'-gul'kälû'),[2] Fort Dobbs was also built in the same year about 20 miles west of the present Salisbury, North Carolina.[3]

The Cherokee had agreed to furnish four hundred warriors to cooperate against the French in the north, but before Fort Loudon had been completed it was very evident that they had repented of their promise, as their great council at Echota ordered the work stopped and the garrison on the way to turn back, plainly telling the officer in charge that they did not want so many white people among them. Ata-kullakulla, hitherto supposed to be one of the stanchest friends of the English, was now one of the most determined in the opposition. It was in evidence also that they were in constant communication with the French. By much tact and argument their objections were at last overcome for a time, and they very unwillingly set about raising the promised force of warriors. Major Andrew Lewis, who superintended the building of the fort, became convinced that the Cherokee were really friendly to the French, and that all their professions of friendship and assistance were "only to put a gloss on their knavery." The fort was finally completed, and, on his suggestion, was garrisoned with a strong force of two hundred men under Captain Demeré.[4] There was strong ground for believing that some depredations committed about this time on the heads of Catawba and Broad Rivers, in North Carolina, were the joint work of Cherokee and northern Indians.[5] Notwithstanding all this, a considerable body of Cherokee joined the British forces on the Virginia frontier.[6]

Fort Du Quesne was taken by the American provincials under Washington, November 25, 1758. Quebec was taken September 13, 1759, and by the final treaty of peace in 1763 the war ended with the transfer of Canada and the Ohio Valley to the Crown of England. Louisiana had already been ceded by France to Spain.

Although France was thus eliminated from the Indian problem, the Indians themselves were not ready to accept the settlement. In the North the confederated tribes under Pontiac continued to war on their own account until 1765. In the South the very Cherokee who had acted as allies of the British against Fort Du Quesne, and had voluntarily offered to guard the frontier south of the Potomac, returned to rouse their tribe to resistance.

The immediate exciting cause of the trouble was an unfortunate expedition undertaken against the hostile Shawano in February, 1756, by Major Andrew Lewis (the same who had built Fort Loudon) with some two hundred Virginia troops assisted by about one hundred Cherokee. After six weeks of fruitless tramping through the woods, with the ground covered with snow and the streams so swollen by rains that they lost their provisions and ammunition in crossing, they were obliged to return to the settlements in a starving condition, hav-

[1] Ramsey, Tennessee, p. 81, 1853; Royce, Cherokee Nation, in Fifth Ann. Rept. Bur. of Ethnology, p. 148, 1888.
[2] For notice see Ätä'-gul'kälû', in the glossary.
[3] Ramsey, op. cit., p. 80.
[4] Letters of Major Andrew Lewis and Governor Dinwiddie, 1756, in North Carolina Colonial Records V, pp. 365, 612-614, 635, 637, 1887; Ramsey, op. cit., pp. 81, 82.
[5] Letter of Governor Dobbs, 1756, in North Carolina Colonial Records, V, p. 604, 1887.
[6] Dinwiddie letter, 1757, Ibid., p. 783.

ing killed their horses on the way. The Indian contingent had from the first been disgusted at the contempt and neglect experienced from those whom they had come to assist. The Tuscarora and others had already gone home, and the Cherokee now started to return on foot to their own country. Finding some horses running loose on the range, they appropriated them, on the theory that as they had lost their own animals, to say nothing of having risked their lives, in the service of the colonists, it was only a fair exchange. The frontiersmen took another view of the question, however, attacked the returning Cherokee, and killed a number of them, variously stated at from twelve to forty, including several of their prominent men. According to Adair they also scalped and mutilated the bodies in the savage fashion to which they had become accustomed in the border wars and brought the scalps into the settlements, where they were represented as those of French Indians and sold at the regular price then established by law. The young warriors at once prepared to take revenge, but were restrained by the chiefs until satisfaction could be demanded in the ordinary way, according to the treaties arranged with the colonial governments. Application was made in turn to Virginia, North Carolina, and South Carolina, but without success. While the women were still wailing night and morning for their slain kindred, and the Creeks were taunting the warriors for their cowardice in thus quietly submitting to the injury, some lawless officers of Fort Prince George committed an unpardonable outrage at the neighboring Indian town while most of the men were away hunting.[1] The warriors could no longer be restrained. Soon there was news of attacks upon the back settlements of Carolina, while on the other side of the mountains two soldiers of the Fort Loudon garrison were killed. War seemed at hand.

At this juncture, in November, 1758, a party of influential chiefs, having first ordered back a war party just about to set out from the western towns against the Carolina settlements, came down to Charleston and succeeded in arranging the difficulty upon a friendly basis. The assembly had officially declared peace with the Cherokee, when, in May of 1759, Governor Lyttleton unexpectedly came forward with a demand for the surrender for execution of every Indian who had killed a white man in the recent skirmishes, among these being the chiefs of Citico and Tellico. At the same time the commander at Fort Loudon, forgetful of the fact that he had but a small garrison in the midst of several thousands of restless savages, made a demand for twenty-four other chiefs whom he suspected of unfriendly action. To compel their surrender orders were given to stop all trading supplies intended for the upper Cherokee.

This roused the whole nation, and a delegation representing every town came down to Charleston, protesting the desire of the Indians for peace and friendship, but declaring their inability to surrender their own chiefs. The governor replied by declaring war in November, 1759, at once calling out troops and sending messengers to secure the aid of all the surrounding tribes against the Cherokee. In the meantime a second delegation of thirty-two of the most prominent men,

[1] Adair, American Indians, 245-246, 1775; North Carolina Colonial Records, V, p. xlviii, 1887; Hewat, quoted in Ramsey, Tennessee, p. 54, 1853.

led by the young war chief Oconostota (Ăgăn-stăta),[1] arrived to make a further effort for peace, but the governor, refusing to listen to them, siezed the whole party and confined them as prisoners at Fort Prince George, in a room large enough for only six soldiers, while at the same time he set fourteen hundred troops in motion to invade the Cherokee country. On further representation by Ata-kullakulla (Ătă'-gŭl'-kăl'ĭ), the civil chief of the nation and well known as a friend of the English, the governor released Oconostota and two others after compelling some half dozen of the delegation to sign a paper by which they pretended to agree for their tribe to kill or seize any Frenchman entering their country, and consented to the imprisonment of the party until all the warriors demanded had been surrendered for execution or otherwise. At this stage of affairs the smallpox broke out in the Cherokee towns, rendering a further stay in their neighborhood unsafe, and thinking the whole matter now settled on his own basis, Lyttleton returned to Charleston.

The event soon proved how little he knew of Indian temper. Oconostota at once laid siege to Fort Prince George, completely cutting off communication at a time when, as it was now winter, no help could well be expected from below. In February, 1760, after having kept the fort thus closely invested for some weeks, he sent word one day by an Indian woman that he wished to speak to the commander, Lieutenant Coytmore. As the lieutenant stepped out from the stockade to see what was wanted, Oconostota, standing on the opposite side of the river, swung a bridle above his head as a signal to his warriors concealed in the bushes, and the officer was at once shot down. The soldiers immediately broke into the room where the hostages were confined, every one being a chief of prominence in the tribe, and butchered them to the last man.

It was now war to the end. Led by Oconostota, the Cherokee descended upon the frontier settlements of Carolina, while the warriors across the mountains laid close siege to Fort Loudon. In June, 1760, a strong force of over 1,600 men, under Colonel Montgomery, started to reduce the Cherokee towns and relieve the beleaguered garrison. Crossing the Indian frontier, Montgomery quickly drove the enemy from about Fort Prince George and then, rapidly advancing, surprised Little Keowee, killing every man of the defenders, and destroyed in succession every one of the Lower Cherokee towns, burning them to the ground, cutting down the cornfields and orchards, killing and taking more than a hundred of their men, and driving the whole population into the mountains before him. His own loss was very slight. He then sent messengers to the Middle and Upper towns, summoning them to surrender on penalty of the like fate, but, receiving no reply, he led his men across the divide to the waters of the Little Tennessee and continued down that stream without opposition until he came in the vicinity of Echoee (Itse'yĭ), a few miles above the sacred town of Nĭkwăsi', the present Franklin, North Carolina. Here the Cherokee had collected their full force to resist his progress, and the result was a desperate engagement on June 27, 1760, by which Montgomery was compelled to retire to Fort Prince George, after losing nearly one hundred men in killed and wounded. The Indian loss is unknown.

[1] For notices see the glossary.

His retreat sealed the fate of Fort Loudon. The garrison, though hard pressed and reduced to the necessity of eating horses and dogs, had been enabled to hold out through the kindness of the Indian women, many of whom, having found sweethearts among the soldiers, brought them supplies of food daily. When threatened by the chiefs the women boldly replied that the soldiers were their husbands and it was their duty to help them, and that if any harm came to themselves for their devotion their English relatives would avenge them.[1] The end was only delayed, however, and on August 8, 1760, the garrison of about two hundred men, under Captain Demeré, surrendered to Oconostota on promise that they should be allowed to retire unmolested with their arms and sufficient ammunition for the march, on condition of delivering up all the remaining warlike stores.

The troops marched out and proceeded far enough to camp for the night, while the Indians swarmed into the fort to see what plunder they might find. "By accident a discovery was made of ten bags of powder and a large quantity of ball that had been secretly buried in the fort to prevent their falling into the enemy's hands" (Hewat). It is said also that cannon, small arms, and ammunition had been thrown into the river with the same intention (Haywood). Enraged at this breach of the capitulation the Cherokee attacked the soldiers next morning at daylight, killing Demeré and twenty-nine others at the first fire. The rest were taken and held as prisoners until ransomed some time after. The second officer, Captain Stuart, for whom the Indians had a high regard, was claimed by Ata-kullakulla, who soon after took him into the woods, ostensibly on a hunting excursion, and conducted him for nine days through the wilderness until he delivered him safely into the hands of friends in Virginia. The chief's kindness was well rewarded, and it was largely through his influence that peace was finally brought about.

It was now too late, and the settlements were too much exhausted, for another expedition, so the fall and winter were employed by the English in preparations for an active campaign the next year in force to crush out all resistance. In June, 1761, Colonel Grant with an army of 2,600 men, including a number of Chickasaw and almost every remaining warrior of the Catawba,[2] set out from Fort Prince George. Refusing a request from Ata-kullakulla for a friendly accommodation, he crossed Rabun Gap and advanced rapidly down the Little Tennessee along the same trail taken by the expedition of the previous year. On June 10, when within two miles of Montgomery's battlefield, he encountered the Cherokee, whom he defeated, although with considerable loss to himself, after a stubborn engagement lasting several hours. Having repulsed the Indians, he proceeded on his way, sending out detachments to the outlying settlements, until in the course of a month he had destroyed every one of the Middle towns, 15 in all, with all their granaries and cornfields, driven the inhabitants into the mountains, and "pushed the frontier seventy miles farther to the west."

The Cherokee were now reduced to the greatest extremity. With some of their best towns in ashes, their fields and orchards wasted for two successive years, their ammunition nearly exhausted, many of

[1] Timberlake, Memoirs, p. 65, 1765.
[2] Catawba reference from Milligan, 1763, in Carroll, South Carolina Historical Collections, ii, p. 515, 1836.

their bravest warriors dead, their people fugitives in the mountains, hiding in caves and living like beasts upon roots or killing their horses for food, with the terrible scourge of smallpox adding to the miseries of starvation, and withal torn by factional differences which had existed from the very beginning of the war—it was impossible for even brave men to resist longer. In September Ata-kullakulla, who had all along done everything in his power to stay the disaffection, came down to Charleston, a treaty of peace was made, and the war was ended. From an estimated population of at least 5,000 warriors some years before, the Cherokee had now been reduced to about 2,300 men.[1]

In the meantime a force of Virginians under Colonel Stephen had advanced as far as the Great Island of the Holston—now Kingsport, Tennessee—where they were met by a large delegation of Cherokee, who sued for peace, which was concluded with them by Colonel Stephen on November 19, 1761, independently of what was being done in South Carolina. On the urgent request of the chief that an officer might visit their people for a short time to cement the new friendship, Lieutenant Henry Timberlake, a young Virginian who had already distinguished himself in active service, volunteered to return with them to their towns, where he spent several months. He afterward conducted a delegation of chiefs to England, where, as they had come without authority from the Government, they met such an unpleasant reception that they returned disgusted.[2]

On the conclusion of peace between England and France in 1763, by which the whole western territory was ceded to England, a great council was held at Augusta, which was attended by the chiefs and principal men of all the southern Indians, at which Captain John Stuart, superintendent for the southern tribes, together with the colonial governors of Virginia, North Carolina, South Carolina, and Georgia, explained fully to the Indians the new condition of affairs, and a treaty of mutual peace and friendship was concluded on November 10 of that year.[3]

Under several leaders, as Walker, Wallen, Smith, and Boon, the tide of emigration now surged across the mountains in spite of every effort to restrain it,[4] and the period between the end of the Cherokee war and the opening of the Revolution is principally notable for a number of treaty cessions by the Indians, each in fruitless endeavor to fix a permanent barrier between themselves and the advancing wave of white settlement. Chief among these was the famous Henderson purchase in 1775, which included the whole tract between the Kentucky and Cumberland Rivers, embracing the greater part of the present State of Kentucky. By these treaties the Cherokee were shorn of practically all their ancient territorial claims north of the present Tennessee line and east of the Blue Ridge and the Savannah, including much of their best hunting range; their home settlements were, however, left still in their possession.[5]

[1] Figures from Adair, American Indians, p. 232, 1775. When not otherwise noted, this sketch of the Cherokee war of 1760–61 is compiled chiefly from the contemporary dispatches in the Gentleman's Magazine, supplemented from Hewat's Historical Account of South Carolina and Georgia, 1779, with additional details from Adair, American Indians; Ramsey, Tennessee; Royce, Cherokee Nation; North Carolina Colonial Records, v., documents and introduction; etc.
[1] Timberlake, Memoirs, p. 1 et passim. 1765.
[3] Stevens, Georgia, ii, pp. 26–29, 1859.
[4] Ramsey, Tennessee, pp. 46–78, 1853.
[5] Royce, Cherokee Nation, in Fifth Ann. Rep. Bur. of Ethnology, pp. 148–149, 1888.

As one consequence of the late Cherokee war, a royal proclamation had been issued in 1763, with a view of checking future encroachments by the whites, which prohibited any private land purchases from the Indians, or any granting of warrants for lands west of the sources of the streams flowing into the Atlantic.[1] In 1768, on the appeal of the Indians themselves, the British superintendent for the southern tribes, Captain John Stuart, had negotiated a treaty at Hard Labor, in South Carolina, by which Kanawha and New Rivers, along their whole course downward from the North Carolina line, were fixed as the boundary between the Cherokee and the whites in that direction. In two years, however, so many borderers had crossed into the Indian country, where they were evidently determined to remain, that it was found necessary to substitute another treaty, by which the line was made to run due south from the mouth of the Kanawha to the Holston, thus cutting off from the Cherokee almost the whole of their hunting grounds in Virginia and West Virginia. Two years later, in 1772, the Virginians demanded a further cession, by which everything east of Kentucky River was surrendered; and finally, on March 17, 1775, the great Henderson purchase was consummated, including the whole tract between the Kentucky and Cumberland Rivers. By this last cession the Cherokee were at last cut off from Ohio River and all their rich Kentucky hunting grounds.[2]

While these transactions were alled treaties, they were really forced upon the native proprietors, who resisted each in turn and finally signed only under protest and on most solemn assurances that no further demands would be made. Even before the purchases were made, intruders in large numbers had settled upon each of the tracts in question, and they refused to withdraw across the boundaries now established, but remained on one pretext or another to await a new adjustment. This was particularly the case on Watauga and upper Holston Rivers in northeastern Tennessee, where the settlers, finding themselves still within the Indian boundary and being resolved to remain, effected a temporary lease from the Cherokee in 1772. As was expected and intended, the lease became a permanent occupancy, the nucleus settlement of the future State of Tennessee.[3]

Just before the outbreak of the Revolution, the botanist, William Bartram, made an extended tour of the Cherokee country, and has left us a pleasant account of the hospitable character and friendly disposition of the Indians at that time. He gives a list of forty-three towns then inhabited by the tribe.[4]

The opening of the great Revolutionary struggle in 1776 found the Indian tribes almost to a man ranged on the British side against the Americans. There was good reason for this. Since the fall of the French power the British Government had stood to them as the sole representative of authority, and the guardian and protector of their rights against constant encroachments by the American borderers. Licensed British traders were resident in every tribe and many had intermarried and raised families among them, while the border man looked upon the Indian only as a cumberer of the earth. The British superintendents, Sir William Johnson in the north and Captain

[1] Royce, Cherokee Nation, op. cit., p. 149; Ramsey, Tennessee, p. 71, 1853.
[2] Ramsey, op. cit., pp. 92-127; Royce, op. cit., pp. 148-149.
[3] Ramsey, op. cit., pp. 109-122; Royce, op. cit., p. 146 et passim.
[4] Bartram, Travels, pp. 366-372, 1792.

John Stuart in the south, they knew as generous friends, while hardly a warrior of them all was without some old cause of resentment against their backwoods neighbors. They felt that the only barrier between themselves and national extinction was in the strength of the British Government, and when the final severance came they threw their whole power into the British scale. They were encouraged in this resolution by presents of clothing and other goods, with promises of plunder from the settlements and hopes of recovering a portion of their lost territories. The British Government having determined, as early as June, 1775, to call in the Indians against the Americans, supplies of hatchets, guns, and ammunition were issued to the warriors of all the tribes from the lakes to the gulf, and bounties were offered for American scalps brought in to the commanding officer at Detroit or Oswego.[1] Even the Six Nations, who had agreed in solemn treaty to remain neutral, were won over by these persuasions. In August, 1775, an Indian "talk" was intercepted in which the Cherokee assured Cameron, the resident agent, that their warriors, enlisted in the service of the King, were ready at a signal to fall upon the back settlements of Carolina and Georgia.[2] Circular letters were sent out to all those persons in the back country supposed to be of royalist sympathies, directing them to repair to Cameron's headquarters in the Cherokee country to join the Indians in the invasion of the settlements.[3]

In June, 1776, a British fleet under command of Sir Peter Parker, with a large naval and military force, attacked Charleston, South Carolina, both by land and sea, and simultaneously a body of Cherokee, led by Tories in Indian disguise, came down from the mountains and ravaged the exposed frontier of South Carolina, killing and burning as they went. After a gallant defense by the garrison at Charleston the British were repulsed, whereupon their Indian and Tory allies withdrew.[4]

About the same time the warning came from Nancy Ward, a noted friendly Indian woman of great authority in the Cherokee Nation, that seven hundred Cherokee warriors were advancing in two divisions against the Watauga and Holston settlements, with the design of destroying everything as far up as New River. The Holston men from both sides of the Virginia line hastily collected under Captain Thompson and marched against the Indians, whom they met and defeated with signal loss after a hard-fought battle near the Long Island in the Holston (Kingsport, Tennessee), on August 20. The next day the second division of the Cherokee attacked the fort at Watauga, garrisoned by only forty men under Captain James Robertson, but was repulsed without loss to the defenders, the Indians withdrawing on news of the result at the Long Island. A Mrs. Bean and a boy named Moore were captured on this occasion and carried to one of the Cherokee towns in the neighborhood of Tellico, where the boy was burned, but the woman, after she had been condemned to death and everything was in readiness for the tragedy, was rescued by the interposition of Nancy Ward. Two other Cherokee detachments

[1] Ramsey, Tennessee, pp. 142-139, 1853; Monette, Valley of the Mississippi, i, pp. 400, 401, 421, 432, and ii, pp. 32, 34, 1846; Roosevelt, Winning of the West, i, pp. 278-281, and ii, pp. 1-6, 1889.
[2] Ramsey, op. cit., p. 143.
[3] Quoted from Stedman, in Ramsey, op. cit., p. 162.
[4] Ramsey, op. cit., p. 162.

moved against the upper settlements at the same time. One of these, finding all the inhabitants securely shut up in forts, returned without doing much damage. The other ravaged the country on Clinch River almost to its head, and killed a man and wounded others at Black's station, now Abingdon, Virginia.[1]

At the same time that one part of the Cherokee were raiding the Tennessee settlements others came down upon the frontiers of Carolina and Georgia. On the upper Catawba they killed many people, but the whites took refuge in the stockade stations, where they defended themselves until General Rutherford came to their relief. In Georgia an attempt had been made by a small party of Americans to seize Cameron, who lived in one of the Cherokee towns with his Indian wife, but, as was to have been expected, the Indians interfered, killing several of the party and capturing others, who were afterward tortured to death. The Cherokee of the Upper and Middle towns, with some Creeks and Tories of the vicinity, led by Cameron himself, at once began ravaging the South Carolina border, burning houses, driving off cattle, and killing men, women, and children without distinction, until the whole country was in a wild panic, the people abandoning their farms to seek safety in the garrisoned forts. On one occasion an attack by two hundred of the enemy, half of them being Tories, stripped and painted like Indians, was repulsed by the timely arrival of a body of Americans, who succeeded in capturing thirteen of the Tories. The invasion extended into Georgia, where also property was destroyed and the inhabitants were driven from their homes.[2]

Realizing their common danger, the border States determined to strike such a concerted blow at the Cherokee as should render them passive while the struggle with England continued. In accord with this plan of cooperation the frontier forces were quickly mobilized and in the summer of 1776 four expeditions were equipped from Virginia, North Carolina, South Carolina, and Georgia, to enter the Cherokee territory simultaneously from as many different directions.

In August of that year the army of North Carolina, 2,400 strong, under General Griffith Rutherford, crossed the Blue Ridge at Swannanoa Gap, and following the main trail almost along the present line of the railroad, struck the first Indian town, Stikā'yĭ, or Stecoee, on the Tuckasegee, near the present Whittier. The inhabitants having fled, the soldiers burned the town, together with an unfinished townhouse ready for the roof, cut down the standing corn, killed one or two straggling Indians and then proceeded on their mission of destruction. Every town upon Oconaluftee, Tuckasegee, and the upper part of Little Tennessee, and on Hiwassee to below the junction of Valley River—thirty-six towns in all—was destroyed in turn, the corn cut down or trampled under the hoofs of the stock driven into the fields for that purpose, and the stock itself killed or carried off. Before such an overwhelming force, supplemented as it was by three others simultaneously advancing from other directions, the Cherokee made but poor resistance, and fled with their women and children into the fastnesses of the Great Smoky Mountains, leaving their desolated fields and smoking towns behind them. As was usual in

[1] Ramsey, Tennessee, pp. 150–159, 1853.
[2] Roosevelt, Winning of the West, i, pp. 293–297, 1889.

Indian wars, the actual number killed or taken was small, but the destruction of property was beyond calculation. At Sugartown (Kūlsetsi'yĭ, east of the present Franklin) one detachment, sent to destroy it, was surprised, and escaped only through the aid of another force sent to its rescue. Rutherford, himself, while proceeding to the destruction of the Hiwassee towns, encountered the Indians drawn up to oppose his progress in the Waya Gap of the Nantahala Mountains, and one of the hardest fights of the campaign resulted, the soldiers losing over forty killed and wounded, although the Cherokee were finally repulsed. One of the Indians killed on this occasion was afterwards discovered to be a woman, painted and armed like a warrior.[1]

On September 26 the South Carolina army, 1,860 strong, under Colonel Andrew Williamson, and including a number of Catawba Indians, effected a junction with Rutherford's forces on Hiwassee River, near the present Murphy, North Carolina. It had been expected that Williamson would join the northern army at Cowee, on the Little Tennessee, when they would proceed together against the western towns, but he had been delayed, and the work of destruction in that direction was already completed, so that after a short rest each army returned home along the route by which it had come.

The South Carolina men had centered by different detachments in the lower Cherokee towns about the head of Savannah River, burning one town after another, cutting down the peach trees and ripened corn, and having an occasional brush with the Cherokee, who hung constantly upon their flanks. At the town of Seneca, near which they encountered Cameron with his Indians and Tories, they had destroyed six thousand bushels of corn, besides other food stores, after burning all the houses, the Indians having retreated after a stout resistance. The most serious encounter had taken place at Tomassee, where several whites and sixteen Cherokee were killed, the latter being all scalped afterwards. Having completed the ruin of the Lower towns, Williamson had crossed over Rabun Gap and descended into the valley of the Little Tennessee to cooperate with Rutherford in the destruction of the Middle and Valley towns. As the army advanced every house in every settlement met was burned—ninety houses in one settlement alone— and detachments were sent into the fields to destroy the corn, of which the smallest town was estimated to have two hundred acres, besides potatoes, beans, and orchards of peach trees. The stores of dressed deerskins and other valuables were carried off. Everything was swept clean, and the Indians who were not killed or taken were driven, homeless refugees, into the dark recesses of Nantahala or painfully made their way across to the Overhill towns in Tennessee, which were already menaced by another invasion from the north.[2]

In July, while Williamson was engaged on the upper Savannah, a force of two hundred Georgians, under Colonel Samuel Jack, had marched in the same direction and succeeded in burning two towns on

[1] See No. 110, "Incidents of Personal Heroism." For Rutherford's expedition, see Moore, Rutherford's Expedition, in North Carolina University Magazine, February, 1858; Swain, Sketch of the Indian War in 1776, ibid., May, 1852, reprinted in Historical Magazine, November, 1867; Ramsey, Tennessee, p. 164, 1853; Roosevelt, Winning the West, i, pp. 294–302, 1889, etc.
[2] For Williamson's expedition see Ross Journal, with Rockwell's notes, in Historical Magazine, October, 1876; Swain, Sketch of the Indian War in 1776, in North Carolina University Magazine for May, 1852, reprinted in Historical Magazine, November, 1867; Jones, Georgia, ii, p. 246 et passim, 1867; Ramsey, Tennessee, 160–164, 1853; Roosevelt, Winning of the West, i, pp. 296–302, 1889.

the heads of Chattahoochee and Tugaloo Rivers, destroying the corn and driving off the cattle, without the loss of a man, the Cherokee having apparently fallen back to concentrate for resistance in the mountains.[1]

The Virginia army, about two thousand strong, under Colonel William Christian, rendezvoused in August at the Long Island of the Holston, the regular gathering place on the Tennessee side of the mountains. Among them were several hundred men from North Carolina, with all who could be spared from the garrisons on the Tennessee side. Paying but little attention to small bodies of Indians, who tried to divert attention or to delay progress by flank attacks, they advanced steadily, but cautiously, along the great Indian war-path toward the crossing of the French Broad, where a strong force of Cherokee was reported to be in waiting to dispute their passage. Just before reaching the river the Indians sent a Tory trader with a flag of truce to discuss terms. Knowing that his own strength was overwhelming, Christian allowed the envoy to go through the whole camp and then sent him back with the message that there could be no terms until the Cherokee towns had been destroyed. Arriving at the ford, he kindled fires and made all preparations as if intending to camp there for several days. As soon as night fell, however, he secretly drew off half his force and crossed the river lower down, to come upon the Indians in their rear. This was a work of great difficulty, as the water was so deep that it came up almost to the shoulders of the men, while the current was so rapid that they were obliged to support each other four abreast to prevent being swept off their feet. However, they kept their guns and powder dry. On reaching the other side they were surprised to find no enemy. Disheartened at the strength of the invasion, the Indians had fled without even a show of resistance. It is probable that nearly all their men and resources had been drawn off to oppose the Carolina forces on their eastern border, and the few who remained felt themselves unequal to the contest.

Advancing without opposition, Christian reached the towns on Little Tennessee early in November, and, finding them deserted, proceeded to destroy them, one after another, with their outlying fields. The few lingering warriors discovered were all killed. In the meantime messages had been sent out to the farther towns, in response to which several of their head men came into Christian's camp to treat for peace. On their agreement to surrender all the prisoners and captured stock in their hands and to cede to the whites all the disputed territory occupied by the Tennessee settlements, as soon as representatives of the whole tribe could be assembled in the spring, Christian consented to suspend hostilities and retire without doing further injury. An exception was made against Tuskegee and another town, which had been concerned in the burning of the boy taken from Watauga, already noted, and these two were reduced to ashes. The sacred "peace town," Echota, had not been molested. Most of the troops were disbanded on their return to the Long Island, but a part remained and built Fort Patrick Henry, where they went into winter quarters.[2]

[1] Jones, op. cit., p. 248; Ramsey, op. cit., p. 169; Roosevelt, op. cit., ii, 283.
[2] For the Virginia-Tennessee expedition see Roosevelt, Winning of the West, i, pp. 302-305, 1889; Ramsey, Tennessee, pp. 168-170, 1853.

From incidental notices in narratives written by some of the participants we obtain interesting side lights on the merciless character of this old border warfare. In addition to the ordinary destruction of war—the burning of towns, the wasting of fruitful fields, and the killing of the defenders—we find that every Indian warrior killed was scalped, when opportunity permitted; women, as well as men, were shot down and afterward "helped to their end"; and prisoners taken were put up at auction as slaves when not killed on the spot. Near Tomassee a small party of Indians was surrounded and entirely cut off. "Sixteen were found dead in the valley when the battle ended. These our men scalped." In a personal encounter—

> a stout Indian engaged a sturdy young white man, who was a good bruiser and expert at gouging. After breaking their guns on each other they laid hold of one another, when the cracker had his thumbs instantly in the fellow's eyes, who roared and cried "*cmaly*"—enough, in English. "Damn you," says the white man, "you can never have enough while you are alive." He then threw him down, set his foot upon his head, and scalped him alive; then took up one of the broken guns and knocked out his brains. It would have been fun if he had let the latter action alone and sent him home without his nightcap, to tell his countrymen how he had been treated.

Later on some of the same detachment (Williamson's), seeing a woman ahead, fired on her and brought her down with two serious wounds, but yet able to speak. After getting what information she could give them, through a half-breed interpreter, "the informer being unable to travel, some of our men favored her so far that they killed her there, to put her out of pain." A few days later "a party of Colonel Thomas's regiment, being on a hunt of plunder, or some such thing, found an Indian squaw and took her prisoner; she being lame, was unable to go with her friends. She was so sullen that she would, as an old saying is, neither lead nor drive, and by their account she died in their hands; but I suppose they helped her to her end." At this place—on the Hiwassee—they found a large town, having "upwards of ninety houses, and large quantities of corn," and "we encamped among the corn, where we had a great plenty of corn, peas, beans, potatoes, and hogs," and on the next day "we were ordered to assemble in companies to spread through the town to destroy, cut down, and burn all the vegetables belonging to our heathen enemies, which was no small undertaking, they being so plentifully supplied." Continuing to another town, "we engaged in our former labor, that is, cutting and destroying all things that might be of advantage to our enemies. Finding here curious buildings, great apple trees, and white-man-like improvements, these we destroyed."[1]

While crossing over the mountains Rutherford's men approached a house belonging to a trader, when one of his negro slaves ran out and "was shot by the Reverend James Hall, the chaplain, as he ran, mistaking him for an Indian."[2] Soon after they captured two women and a boy. It was proposed to auction them off at once to the highest bidder, and when one of the officers protested that the matter should be left to the disposition of Congress, "the greater part swore bloodily that if they were not sold for slaves upon the spot they would kill and scalp them immediately." The prisoners were accordingly sold for about twelve hundred dollars.[3]

[1] Ross Journal, in Historical Magazine, October, 1867.
[2] Swain, Sketch of the Indian War of 1776, in Historical Magazine, November, 1867.
[3] Moore's narrative, in North Carolina University Magazine, February, 1859.

At the Wolf Hills settlement, now Abingdon, Virginia, a party sent out from the fort returned with the scalps of eleven warriors. Having recovered the books which their minister had left behind in his cabin, they held a service of prayer for their success, after which the fresh scalps were hung upon a pole above the gate of the fort. The barbarous custom of scalping to which the border men had become habituated in the earlier wars was practiced upon every occasion when opportunity presented, at least upon the bodies of warriors, and the South Carolina Legislature offered a bounty of seventy-five pounds for every warrior's scalp, a higher reward, however, being offered for prisoners.[1] In spite of all the bitterness which the war aroused there seems to be no record of any scalping of Tories or other whites by the Americans.

The effect upon the Cherokee of this irruption of more than six thousand armed enemies into their territory was well nigh paralyzing. More than fifty of their towns had been burned, their orchards cut down, their fields wasted, their cattle and horses killed or driven off, their stores of buckskin and other personal property plundered. Hundreds of their people had been killed or had died of starvation and exposure, others were prisoners in the hands of the Americans, and some had been sold into slavery. Those who had escaped were fugitives in the mountains, living upon acorns, chestnuts, and wild game, or were refugees with the British.[2] From the Virginia line to the Chattahoochee the chain of destruction was complete. For the present, at least, any further resistance was hopeless, and they were compelled to sue for peace.

By a treaty concluded at Dewitts Corners in South Carolina on May 20, 1777, the first ever made with the new States, the Lower Cherokee surrendered to the conqueror all of their remaining territory in South Carolina, excepting a narrow strip along the western boundary. Just two months later, on July 20, by treaty at the Long Island, as had been arranged by Christian in the preceding fall, the Middle and Upper Cherokee ceded everything east of the Blue Ridge, together with all the disputed territory on the Watauga, Nolichucky, upper Holston, and New Rivers. By this second treaty also Captain James Robertson was appointed agent for the Cherokee, to reside at Echota, to watch their movements, recover any captured property, and prevent their correspondence with persons unfriendly to the American cause. As the Federal Government was not yet in perfect operation, these treaties were negotiated by commissioners from the four States adjoining the Cherokee country, the territory thus acquired being parceled out to South Carolina, North Carolina, and Tennessee.[3]

While the Cherokee Nation had thus been compelled to a treaty of peace, a very considerable portion of the tribe was irreconcilably hostile to the Americans and refused to be a party to the late cessions, especially on the Tennessee side. Although Ata-kullakulla sent word that he was ready with five hundred young warriors to fight for the Americans against the English or Indian enemy whenever called upon,

[1] Roosevelt, Winning of the West, i, pp. 288, 290, 308, 1889.
[2] About five hundred sought refuge with Stuart, the British Indian superintendent in Florida, where they were fed for some time at the expense of the British Government (Jones, Georgia, ii, p. 240, 1883).
[3] Royce, Cherokee Nation, in Fifth Ann. Rep. Bureau of Ethnology, p. 180 and map, 1888; Ramsey, Tennessee, pp. 172-174, 1853; Stevens, Georgia, ii, p. 144, 1847; Roosevelt, Winning of the West, i, p. 308, 1889.

Dragging-canoe (Tsiyu-gûnsi'ni), who had led the opposition against the Watauga settlements, declared that he would hold fast to Cameron's talk and continue to make war upon those who had taken his hunting grounds. Under his leadership some hundreds of the most warlike and implacable warriors of the tribe, with their families, drew out from the Upper and Middle towns and moved far down upon Tennessee River, where they established new settlements on Chickamauga Creek, in the neighborhood of the present Chattanooga. The locality appears to have been already a rendezvous for a sort of Indian banditti, who sometimes plundered boats disabled in the rapids at this point while descending the river. Under the name "Chickamaugas" they soon became noted for their uncompromising and never-ceasing hostility. In 1782, in consequence of the destruction of their towns by Sevier and Campbell, they abandoned this location and moved farther down the river, where they built what were afterwards known as the "five lower towns," viz, Running Water, Nickajack, Long Island, Crow town, and Lookout Mountain town. These were all on the extreme western Cherokee frontier, near where Tennessee River crosses the State line, the first three being within the present limits of Tennessee, while Lookout Mountain town and Crow town were, respectively, in the adjacent corners of Georgia and Alabama. Their population was recruited from Creeks, Shawano, and white Tories until they were estimated at a thousand warriors. Here they remained, a constant thorn in the side of Tennessee, until their towns were destroyed in 1794.[1]

The expatriated Lower Cherokee also removed to the farthest western border of their tribal territory, where they might hope to be secure from encroachment for a time at least, and built new towns for themselves on the upper waters of the Coosa. Twenty years afterward Hawkins found the population of Willstown, in extreme western Georgia, entirely made up of refugees from the Savannah, and the children so familiar from their parents with stories of Williamson's invasion that they ran screaming from the face of a white man.[2]

In April, 1777, the Legislature of North Carolina, of which Tennessee was still a part, authorized bounties of land in the new territory to all able-bodied men who should volunteer against the remaining hostile Cherokee. Under this act companies of rangers were kept along the exposed border to cut off raiding parties of Indians and to protect the steady advance of the pioneers, with the result that the Tennessee settlements enjoyed a brief respite and were even able to send some assistance to their brethren in Kentucky, who were sorely pressed by the Shawano and other northern tribes.[3]

The war between England and the colonies still continued, however, and the British Government was unremitting in its effort to secure the active assistance of the Indians. With the Creeks raiding the Georgia and South Carolina frontier, and with a British agent, Colonel Brown, and a number of Tory refugees regularly domiciled at Chickamauga,[4] it was impossible for the Cherokee long to remain

[1] Ramsey, op. cit., pp. 171-177, 185-186, 619 et passim; Royce, op. cit., p. 180; Campbell letter, 1782, and other documents in Virginia State papers, iii, pp. 371, 371, 399, 1883, and iv, pp. 118, 288, 1884; Blount letter, January 14, 1798, American State Papers: Indian Affairs, i, p. 651, 1832. Campbell says they abandoned their first location on account of the invasion from Tennessee. Governor Blount says they left on account of witches.
[2] Hawkins, manuscript journal, 1798, with Georgia Historical Society.
[3] Ramsey, Tennessee, pp. 174-175, 1853.
[4] Campbell letter, 1782, Virginia State Papers, iii, p. 371, 1883.

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quiet. In the spring of 1779 the warning came from Robertson, stationed at Echota, that three hundred warriors from Chickamauga had started against the back settlements of North Carolina. Without a day's delay the States of North Carolina (including Tennessee) and Virginia united to send a strong force of volunteers against them under command of Colonels Shelby and Montgomery. Descending the Holston in April in a fleet of canoes built for the occasion, they took the Chickamauga towns so completely by surprise that the few warriors remaining fled to the mountains without attempting to give battle. Several were killed, Chickamauga and the outlying villages were burned, twenty thousand bushels of corn were destroyed, and large numbers of horses and cattle were captured, together with a great quantity of goods sent by the British Governor Hamilton at Detroit for distribution to the Indians. The success of this expedition frustrated the execution of a project by Hamilton for uniting all the northern and southern Indians, to be assisted by British regulars, in a concerted attack along the whole American frontier. On learning, through runners, of the blow that had befallen them, the Chickamauga warriors gave up all idea of invading the settlements and returned to their wasted villages.[1] They, as well as the Creeks, however, kept in constant communication with the British commander in Savannah. In this year also a delegation of Cherokee visited the Ohio towns to offer condolences on the death of the noted Delaware chief, Whiteeyes.[2]

In the early spring of 1780 a large company of emigrants under Colonel John Donelson descended the Holston and the Tennessee to the Ohio, whence they ascended the Cumberland, effected a junction with another party under Captain James Robertson, which had just arrived by a toilsome overland route, and made the first settlement on the present site of Nashville. In passing the Chickamauga towns they had run the gauntlet of the hostile Cherokee, who pursued them for a considerable distance beyond the whirlpool known as the Suck, where the river breaks through the mountain. The family of a man named Stuart being infected with the smallpox, his boat dropped behind, and all on board, twenty-eight in number, were killed or taken by the Indians, their cries being distinctly heard by their friends ahead who were unable to help them. Another boat having run upon the rocks, the three women in it, one of whom had become a mother the night before, threw the cargo into the river, and then, jumping into the water, succeeded in pushing the boat into the current while the husband of one of them kept the Indians at bay with his rifle. The infant was killed in the confusion. Three cowards attempted to escape, without thought of their companions. One was drowned in the river; the other two were captured and carried to Chickamauga, where one was burned and the other was ransomed by a trader. The rest went on their way to found the capital of a new commonwealth.[3] As if in retributive justice, the smallpox broke out in the Chickamauga Band in consequence of the capture of Stuart's family, causing the death of a great number.[4]

[1] Ramsey, op. cit., pp. 186-188; Roosevelt, Winning of the West, ii, pp. 226-228, 1889. Ramsey's statements, chiefly on Haywood's authority, of the strength of the expedition, the number of warriors killed, etc., are so evidently overdrawn that they are here omitted.
[2] Heckewelder, Indian Nations, p. 227, reprint of 1876.
[3] Donelson's Journal, etc., in Ramsey, Tennessee, pp. 197-208, 1853; Roosevelt, Winning of the West, ii, pp. 234-240, 1889.
[4] Ibid., ii, p. 237.

The British having reconquered Georgia and South Carolina and destroyed all resistance in the south, early in 1780 Cornwallis, with his subordinates, Ferguson and the merciless Tarleton, prepared to invade North Carolina and sweep the country northward to Virginia. The Creeks under McGillivray, and a number of the Cherokee under various local chiefs, together with the Tories, at once joined his standard.

While the Tennessee backwoodsmen were gathered at a barbecue to contest for a shooting prize, a paroled prisoner brought a demand from Ferguson for their submission; with the threat, if they refused, that he would cross the mountains, hang their leaders, kill every man found in arms, and burn every settlement. Up to this time the mountain men had confined their effort to holding in check the Indian enemy, but now, with the fate of the Revolution at stake, they felt that the time for wider action had come. They resolved not to await the attack, but to anticipate it. Without order or authority from Congress, without tents, commissary, or supplies, the Indian fighters of Virginia, North Carolina, and Tennessee quickly assembled at the Sycamore shoals of the Watauga to the number of about one thousand men under Campbell, of Virginia, Sevier and Shelby, of Tennessee, and McDowell, of North Carolina. Crossing the mountains, they met Ferguson at Kings Mountain in South Carolina on October 7, 1780, and gained the decisive victory that turned the tide of the Revolution in the South.[1]

It is in place here to quote a description of these men in buckskin, white by blood and tradition, but half Indian in habit and instinct, who, in half a century of continuous conflict, drove back Creeks, Cherokee, and Shawano, and with one hand on the plow and the other on the rifle redeemed a wilderness and carried civilization and free government to the banks of the Mississippi.

> They were led by leaders they trusted, they were wonted to Indian warfare, they were skilled as horsemen and marksmen, they knew how to face every kind of danger, hardship, and privation. Their fringed and tasseled hunting shirts were girded by bead-worked belts, and the trappings of their horses were stained red and yellow. On their heads they wore caps of coon skin or mink skin, with the tails hanging down, or else felt hats, in each of which was thrust a bucktail or a sprig of evergreen. Every man carried a small-bore rifle, a tomahawk, and a scalping knife. A very few of the officers had swords, and there was not a bayonet nor a tent in the army.[2]

To strike the blow at Kings Mountain the border men had been forced to leave their own homes unprotected. Even before they could cross the mountains on their return the news came that the Cherokee were again out in force for the destruction of the upper settlements, and their numerous small bands were killing, burning, and plundering in the usual Indian fashion. Without loss of time the Holston settlements of Virginia and Tennessee at once raised seven hundred mounted riflemen to march against the enemy, the command being assigned to Colonel Arthur Campbell, of Virginia, and Colonel John Sevier, of Tennessee.

Sevier started first with nearly three hundred men, going south along the great Indian war trail and driving small parties of the Cherokee before him, until he crossed the French Broad and came upon seventy of them on Boyds Creek, not far from the present Sevierville, on December 16, 1780. Ordering his men to spread out

[1] Roosevelt, Winning of the West, ii, pp. 241-294, 1889; Ramsey, Tennessee, pp. 205-245, 1853.
[2] Roosevelt, op. cit., p. 266.

into a half circle, he sent ahead some scouts, who, by an attack and feigned retreat, managed to draw the Indians into the trap thus prepared, with the result that they left thirteen dead and all their plunder, while not one of the whites was even wounded.[1]

A few days later Sevier was joined by Campbell with the remainder of the force. Advancing to the Little Tennessee with but slight resistance, they crossed three miles below Echota while the Indians were watching for them at the ford above. Then dividing into two bodies, they proceeded to destroy the towns along the river. The chiefs sent peace talks through Nancy Ward, the Cherokee woman who had so befriended the whites in 1776, but to these overtures Campbell returned an evasive answer until he could first destroy the towns on lower Hiwassee, whose warriors had been particularly hostile. Continuing southward, the troops destroyed these towns, Hiwassee and Chestuee, with all their stores of provisions, finishing the work on the last day of the year. The Indians had fled before them, keeping spies out to watch their movements. One of these, while giving signals from a ridge by beating a drum, was shot by the whites. The soldiers lost only one man, who was buried in an Indian cabin which was then burned down to conceal the trace of the interment. The return march was begun on New Year's day. Ten principal towns, including Echota, the capital, had been destroyed, besides several smaller villages, containing in the aggregate over one thousand houses and not less than fifty thousand bushels of corn and large stores of other provision. Everything not needed on the return march was committed to the flames or otherwise wasted. Of all the towns west of the mountains only Talassee, and one or two about Chickamauga or on the headwaters of the Coosa, escaped. The whites had lost only one man killed and two wounded. Before the return a proclamation was sent to the Cherokee chiefs, warning them to make peace on penalty of a worse visitation.[2]

Some Cherokee who met them at Echota, on the return march, to talk of peace, brought in and surrendered several white prisoners.[3] One reason for the slight resistance made by the Indians was probably the fact that at the very time of the invasion many of their warriors were away, raiding on the Upper Holston and in the neighborhood of Cumberland Gap.[4]

Although the Upper or Overhill Cherokee were thus humbled, those of the middle towns, on the headwaters of Little Tennessee, still continued to send out parties against the back settlements. Sevier determined to make a sudden stroke upon them, and early in March of the same year, 1781, with 150 picked horsemen, he started to cross the Great Smoky Mountains over trails never before attempted by white men, and so rough in places that it was hardly possible to lead horses. Falling unexpectedly upon Tuckasegee, near the present Webster, North Carolina, he took the town completely by surprise, killing several warriors and capturing a number of women and children. Two other principal towns and three smaller settlements were

[1] Roosevelt, Winning of the West, ii, pp. 296-308, 1889; Ramsey, Tennessee, pp. 261-264, 1853. There is great discrepancy in the various accounts of this fight, from the attempts of interested historians to magnify the size of the victory. One writer gives the Indians 1,000 warriors. Here, as elsewhere, Roosevelt is a more reliable guide, his statements being usually from official documents.

[2] Roosevelt, op. cit., pp. 300-304; Ramsey, op. cit., pp. 265-269; Campbell, report, January 15, 1782, in Virginia State Papers, i, p. 426. Haywood and others after him make the expedition go as far as Chickamauga and Coosa River, but Campbell's report expressly denies this.

[3] Ramsey, op. cit., p. 268.

[4] Roosevelt, op. cit., p. 302.

taken in the same way, with a quantity of provision and about 200 horses, the Indians being entirely off their guard and unprepared to make any effective resistance. Having spread destruction through the middle towns, with the loss to himself of only one man killed and another wounded, he was off again as suddenly as he had come, moving so rapidly that he was well on his homeward way before the Cherokee could gather for pursuit.[1] At the same time a smaller Tennessee expedition went out to disperse the Indians who had been making headquarters in the mountains about Cumberland Gap and harassing travelers along the road to Kentucky.[2] Numerous indications of Indians were found, but none were met, although the country was scoured for a considerable distance.[3] In summer the Cherokee made another incursion, this time upon the new settlements on the French Broad, near the present Newport, Tennessee. With a hundred horsemen Sevier fell suddenly upon their camp on Indian Creek, killed a dozen warriors, and scattered the rest.[4] By these successive blows the Cherokee were so worn out and dispirited that they were forced to sue for peace, and in midsummer of 1781 a treaty of peace—doubtful though it might be—was negotiated at the Long Island of the Holston.[5] The respite came just in time to allow the Tennesseans to send a detachment against Cornwallis.

Although there was truce in Tennessee, there was none in the South. In November of this year the Cherokee made a sudden inroad upon the Georgia settlements, destroying everything in their way. In retaliation a force under General Pickens marched into their country, destroying their towns as far as Valley River. Finding further progress blocked by heavy snows and learning through a prisoner that the Indians, who had retired before him, were collecting to oppose him in the mountains, he withdrew, as he says, "through absolute necessity," having accomplished very little of the result expected. Shortly afterwards the Cherokee, together with some Creeks, again invaded Georgia, but were met on Oconee River and driven back by a detachment of American troops.[6]

The Overhill Cherokee, on lower Little Tennessee, seem to have been trying in good faith to hold to the peace established at the Long island. Early in 1781 the Government land office had been closed to further entries, not to be opened again until peace had been declared with England, but the borderers paid little attention to the law in such matters, and the rage for speculation in Tennessee lands grew stronger daily.[7] In the fall of 1782 the chief, Old Tassel of Echota, on behalf of all the friendly chiefs and towns, sent a pathetic talk to the governors of Virginia and North Carolina, complaining that in spite of all their efforts to remain quiet the settlers were constantly encroaching upon them, and had built houses within a day's walk of the Cherokee towns. They asked that all those whites who had settled beyond the boundary last established should be removed.[8] As was to have been expected, this was never done.

[1] Campbell, letter, March 28, 1781, in Virginia State Papers, i, p. 402, 1875; Martin, letter, March 31, 1781; Ibid., p. 413; Ramsey, Tennessee, p. 269, 1853; Roosevelt, Winning of the West, ii, pp. 308-327, 1896.

[2] Campbell, letter, March 28, 1781, in Virginia State Papers, i, p. 402, 1875.

[3] Ramsey, op. cit., p. 269.

[4] Ibid.; Roosevelt, op. cit., p. 327.

[5] Ibid.; Ramsey, op. cit., pp. 287, 288. The latter authority seems to make it 1782, which is evidently a mistake.

[6] Stevens, Georgia, ii, pp. 273-285, 1859; Jones, Georgia, ii, p. 328, 1883.

[7] Roosevelt, Winning of the West, ii, p. 311, 1889.

[8] Old Tassel's talk, in Ramsey, Tennessee, p. 271, 1853, and in Roosevelt, op. cit., p. 318.

The Chickamauga Band, however, and those farther to the south, were still bent on war, being actively encouraged in that disposition by the British agents and refugee loyalists living among them. They continued to raid both north and south, and in September, 1782, Sevier, with 200 mounted men, again made a descent upon their towns, destroying several of their settlements about Chickamauga Creek, and penetrating as far as the important town of Ustana'li, on the headwaters of Coosa River, near the present Calhoun, Georgia. This also he destroyed. Every warrior found was killed, together with a white man found in one of the towns, whose papers showed that he had been active in inciting the Indians to war. On the return the expedition halted at Echota, where new assurances were received from the friendly element.[1] In the meantime a Georgia expedition of over 400 men, under General Pickens, had been ravaging the Cherokee towns in the same quarter, with such effect that the Cherokee were forced to purchase peace by a further surrender of territory on the head of Broad River in Georgia.[2] This cession was concluded at a treaty of peace held with the Georgia commissioners at Augusta in the next year, and was confirmed later by the Creeks, who claimed an interest in the same lands, but was never accepted by either as the voluntary act of their tribe as a whole.[3]

By the preliminary treaty of Paris, November 30, 1782, the long Revolutionary struggle for independence was brought to a close, and the Cherokee, as well as the other tribes, seeing the hopelessness of continuing the contest alone, began to sue for peace. By seven years of constant warfare they had been reduced to the lowest depth of misery, almost indeed to the verge of extinction. Over and over again their towns had been laid in ashes and their fields wasted. Their best warriors had been killed and their women and children had sickened and starved in the mountains. Their great war chief, Oconostota, who had led them to victory in 1780, was now a broken old man, and in this year, at Echota, formally resigned his office in favor of his son, The Terrapin. To complete their brimming cup of misery the smallpox again broke out among them in 1783.[4] Deprived of the assistance of their former white allies they were left to their own cruel fate, the last feeble resistance of the mountain warriors to the advancing tide of settlement came to an end with the burning of Cowee town,[5] and the way was left open to an arrangement. In the same year the North Carolina Legislature appointed an agent for the Cherokee and made regulations for the government of traders among them.[6]

RELATIONS WITH THE UNITED STATES—FROM THE FIRST TREATY TO THE REMOVAL—1785–1838.

Passing over several unsatisfactory and generally abortive negotiations conducted by the various State governments in 1783–84, including the treaty of Augusta already noted,[7] we come to the turning point in the history of the Cherokee, their first treaty with the new

[1] Ramsey, op. cit., p. 272; Roosevelt, op. cit., p. 317 et passim.
[2] Stevens, op. cit., pp. 421–425.
[3] Royce, Cherokee Nation, in 19th Ann. Rep. Bureau of Ethnology, p. 152, 1898.
[4] See documents in Virginia State Papers, iii, pp. 234, 238, 257, 1883.
[5] Ramsey, Tennessee, p. 290, 1853.
[6] [illegible]

Government of the United States for peace and boundary delimitation, concluded at Hopewell in South Carolina on November 28, 1785. Nearly one thousand Cherokee attended, the commissioners for the United States being Colonel Benjamin Hawkins, of North Carolina; General Andrew Pickens, of South Carolina; Cherokee Agent Joseph Martin, of Tennessee, and Colonel Lachlan McIntosh, of Georgia. The instrument was signed by thirty-seven chiefs and principal men, representing nearly as many different towns. The negotiations occupied ten days, being complicated by a protest on the part of North Carolina and Georgia against the action of the Government commissioners in confirming to the Indians some lands which had already been appropriated as bounty lands for State troops without the consent of the Cherokee. On the other hand, the Cherokee complained that 3,000 white settlers were at that moment in occupancy of unceded land between the Holston and the French Broad. In spite of their protest these intruders were allowed to remain, although the territory was not acquired by treaty until some years later. As finally arranged the treaty left the Middle and Upper towns, and those in the vicinity of Coosa River, undisturbed, while the whole country east of the Blue Ridge, with the Watauga and Cumberland settlements, was given over to the whites. The general boundary followed the dividing ridge between Cumberland River and the more southern waters of the Tennessee eastward to the junction of the two forks of Holston, near the present Kingsport, Tennessee, thence southward to the Blue Ridge and southwestward to a point not far from the present Atlanta, Georgia, thence westward to the Coosa River and northwestward to a creek running into Tennessee River at the western line of Alabama, thence northward with the Tennessee River to the beginning. The lands south and west of these lines were recognized as belonging to the Creeks and Chickasaw. Hostilities were to cease and the Cherokee were taken under the protection of the United States. The proceedings ended with the distribution of a few presents.

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THE EASTERN TRIBES.

Besides the Iroquois and Shawano, the Cherokee remember also the Delawares, Tuscarora, Catawba, and Cherawa as tribes to the east or north with which they formerly had relations.

The Cherokee call the Delawares Anakwan"ki, in the singular Akwan"ki, a derivative formed according to usual Cherokee phonetic modification from Wapanaq'ki, "Easterners," the generic name by which the Delawares and their nearest kindred call themselves.

In the most ancient tradition of the Delawares the Cherokee are called Talega, Tallige, Tallige-wi, etc.[1] In later Delaware tradition they are called Kitu'hwa, and again we find the two tribes at war, for which their neighbors are held responsible. According to the Delaware account, the Iroquois, in one of their forays to the south, killed a Cherokee in the woods and purposely left a Delaware war club near the body to make it appear that the work had been done by men of that tribe. The Cherokee found the body and the club, and natu-

[1] Brinton, Lenape and Their Legends, p. 128 et passim, 1885; Schoolcraft, Notes on Iroquois, pp. 147, 328 et passim, 1847; Heckewelder, Indian Nations, pp. 67–68, ed. 1876.

rally supposing that the murder had been committed by the Delawares, they suddenly attacked the latter, the result being a long and bloody war between the two tribes.[1] At this time, i. e., about the end of the seventeenth century, it appears that a part at least of the Cherokee lived on the waters of the Upper Ohio, where the Delawares made continual inroads upon them, finally driving them from the region and seizing it for themselves about the year 1708.[2] A century ago the Delawares used to tell how their warriors would sometimes mingle in disguise with the Cherokee at their night dances until the opportunity came to strike a sudden blow and be off before their enemies recovered from the surprise.

Later there seems to have been peace until war was again brought on by the action of the Shawano, who had taken refuge with the Delawares, after having been driven from their old home on Cumberland River by the Cherokee. Feeling secure in their new alliance, the Shawano renewed their raids upon the Cherokee, who retaliated by pursuing them into the Delaware country, where they killed several Delawares by mistake. This inflamed the latter people, already excited by the sight of Cherokee scalps and prisoners brought back through their country by the Iroquois, and another war was the result, which lasted until the Cherokee, tired of fighting so many enemies, voluntarily made overtures for peace in 1768, saluting the Delawares as Grandfather, an honorary title accorded them by all the Algonquian tribes. The Delawares then reprimanded the Shawano, as the cause of the trouble, and advised them to keep quiet, which, as they were now left to fight their battles alone, they were glad enough to do. At the same time the Cherokee made peace with the Iroquois, and the long war with the northern tribes came to an end. The friendly feeling thus established was emphasized in 1779, when the Cherokee sent a message of condolence upon the death of the Delaware chief White-eyes.[3]

The Tuscarora, formerly the ruling tribe of eastern North Carolina, are still remembered under the name Ani'-Skāla'ĩ, and are thus mentioned in the Feather dance of the Cherokee, in which some of the actors are supposed to be visiting strangers from other tribes.

As the majority of the Tuscarora fled from Carolina to the Iroquois country about 1713, in consequence of their disastrous war with the whites, their memory has nearly faded from the recollection of the southern Indians. From the scanty light which history throws upon their mutual relations, the two tribes seem to have been almost constantly at war with each other. When at one time the Cherokee, having already made peace with some other of their neighbors, were urged by the whites to make peace also with the Tuscarora, they refused, on the ground that, as they could not live without war, it was better to let matters stand as they were than to make peace with the Tuscarora and be obliged immediately to look about for new enemies with whom to fight. For some years before the outbreak of the Tuscarora war in 1711 the Cherokee had ceased their inroads upon this tribe, and it was therefore supposed that they were more busily engaged with some other people west of the mountains, these being probably the Shawano, whom they drove out of Tennessee about this time.[4] In the war of

[1] Berkewalder, op. cit., p. 54.
[2] Loskiel, History of the [Moravian] Mission, pp. 124–127; London, 1794.
[3] Winsor's Indian Nations, pp. 88–89, 1878.

1711–1713 the Cherokee assisted the whites against the Tuscarora. In 1731 the Cherokee again threatened to make war upon the remnant of that tribe still residing in North Carolina and the colonial government was compelled to interfere.[1]

The Cheraw or Sara, ranging at different periods from upper South Carolina to the southern frontier of Virginia, are also remembered under the name of Ani'-Suwa'ĩ, or Ani'-Suwa'la, which agrees with the Spanish form Xuala of De Soto's chronicle, and Suala, or Sualy, of Lederer. The Cherokee remember them as having lived east of the Blue Ridge, the trail to their country leading across the gap at the head of Swannanoa River, east from Asheville. The name of the stream and gap is a corruption of the Cherokee Suwa'ĩ-Nûnnâ'hi, "Suwa'ĩ trail." Being a very warlike tribe, they were finally so reduced by conflicts with the colonial governments and the Iroquois that they were obliged to incorporate with the Catawba, among whom they still maintained their distinct language as late as 1743.[2]

The Catawba are known to the Cherokee as Ani'ta'gwa, singular Ata'gwa, or Ta'gwa, the Cherokee attempt at the name by which they are most commonly known. They were the immediate neighbors of the Cherokee on the east and southeast, having their principal settlements on the river of their name, just within the limits of South Carolina, and holding the leading place among all the tribes east of the Cherokee country with the exception of the Tuscarora. On the first settlement of South Carolina there were estimated to be about 7,000 persons in the tribe, but their decline was rapid, and by war and disease their number had been reduced in 1775 to barely 500, including the incorporated remnants of the Cheraw and several smaller tribes. There are now, perhaps, 100 still remaining on a small reservation near the site of their ancient towns. Some local names in the old Cherokee territory seem to indicate the former presence of Catawba, although there is no tradition of any Catawba settlement within those limits. Among such names may be mentioned Toccoa Creek, in northeastern Georgia, and Toccoa River, in north-central Georgia, both names being derived from the Cherokee Tagwâ'hi, "Catawba place." An old Cherokee personal name is Ta'gwâdihi', "Catawba killer."

The two tribes were hereditary enemies, and the feeling between them is nearly as bitter to-day as it was a hundred years ago. Perhaps the only case on record of their acting together was in the war of 1711–13, when they cooperated with the colonists against the Tuscarora. The Cherokee, according to the late Colonel Thomas, claim to have formerly occupied all the country about the head of the Catawba River, to below the present Morganton, until the game became scarce, when they retired to the west of the Blue Ridge, and afterward "loaned" the eastern territory to the Catawba. This agrees pretty well with a Catawba tradition recorded in Schoolcraft, according to which the Catawba—who are incorrectly represented as comparatively recent immigrants from the north—on arriving at Catawba River found their progress disputed by the Cherokee, who claimed original ownership of the country. A battle was fought, with incredible loss on both sides, but with no decisive result, although the

[1] North Carolina Colonial Records, III, pp. 153, 202, 245, 269, 382, 1886.
[2] Mooney, Siouan Tribes of the East (Bulletin of the Bureau of Ethnology), pp. 38, 61, 1894.

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advantage was with the Catawba, on account of their having guns, while their opponents had only Indian weapons. Preparations were under way to renew the fight when the Cherokee offered to recognize the river as the boundary, allowing the Catawba to settle anywhere to the east. The overture was accepted and an agreement was finally made by which the Catawba were to occupy the country east of that river and the Cherokee the country west of Broad River, with the region between the two streams to remain as neutral territory. Stone piles were heaped up on the battle field to commemorate the treaty, and the Broad River was henceforth called Eswau Huppeday (Line River), by the Catawba, the country eastward to Catawba River being left unoccupied.[1] The fact that one party had guns would bring this event within the early historic period.

The Catawba assisted the whites against the Cherokee in the war of 1760 and in the later Revolutionary struggle. About 100 warriors, nearly the whole fighting strength of the tribe, took part in the first-mentioned war, several being killed, and a smaller number accompanied Williamson's force in 1776.[2] At the battle fought under Williamson near the present site of Franklin, North Carolina, the Cherokee, according to the tradition related by Wafford, mistook the Catawba allies of the troops for some of their own warriors, and were fighting for some time under this impression before they noticed that the Catawba wore deer tails in their hair so that the whites might not make the same mistake. In this engagement, which was one of the bloodiest Indian encounters of the Revolution, the Cherokee claim that they had actually defeated the troops and their Catawba allies, when their own ammunition gave out and they were consequently forced to retire. The Cherokee leader was a noted war chief named Tsani (John).

About 1840 nearly the whole Catawba tribe moved up from South Carolina and joined the eastern band of Cherokee, but in consequence of tribal jealousies they remained but a short time, and afterward returned to their former home, as is related elsewhere.

Other tribal names (of doubtful authority) are Ani'-Sa'ni and Ani'-Sawahā'ni, belonging to people said to have lived toward the north; both names are perhaps intended for the Shawano or Shawnee, properly Ani'-Sawānu'gi. The Ani'-Gili' are said to have been neighbors of the Anin'tsi or Natchez; the name may possibly be a Cherokee form for Congaree.

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Tuscarora.—The Tuscarora, a southern tribe of the Iroquoian stock, formerly occupied an extensive territory upon Neuse River and its branches, in eastern North Carolina, and, like their northern cousins, seem to have assumed and exercised a certain degree of authority over all the smaller tribes about them. As early as 1670 Lederer described the Tuscarora "emperor" as the haughtiest Indian he had ever met. About the year 1700 Lawson estimated them at 1,200 warriors (6,000 souls?) in 15 towns. In 1711 they rose against the whites, one of their first acts of hostility being the killing of Lawson himself, who was engaged in surveying lands which they claimed as their own. In a struggle extending over about two years they were

[1] Catawba MS. from South Carolina official archives. Schoolcraft, Indian Tribes, III, pp. 238–4, 1853.
[2] Ibid., p. 294, 1853.

so terribly decimated that the greater portion fled from Carolina and took refuge with their kinsmen and friends, the Iroquois of New York, who were henceforth known as the Six Nations. The so-called "friendly" party, under Chief Blount, was settled upon a small reservation north of Roanoke River in what is now Bertie County, North Carolina. Here they gradually decreased by disease and emigration to the North, until the few who were left sold their last remaining lands in 1804. The history of the tribe after the removal to the North is a part of the history of the Iroquois or Six Nations. They number now about 750, of whom about 380 are on the Tuscarora Reservation in New York, the others upon the Grand River Reservation in Ontario.

Xuala, Suwali, Sara, or Cheraw.—For the identification and earliest notices of the Sara see historical note 8, "De Soto's Route." Their later history is one of almost constant hostility to the whites until their final incorporation with the Catawba, with whom they were probably cognate, about the year 1720. In 1743 they still preserved their distinct language, and appear to be last mentioned in 1768, when they numbered about 50 souls living among the Catawba. See Mooney, Siouan Tribes of the East, Bulletin of the Bureau of Ethnology, 1894.

Catawba.—The origin and meaning of this name, which dates back at least two centuries, are unknown. It may possibly come from the Choctaw through the Mobilian trade jargon. They call themselves Nieye, which means simply "people" or "Indians." The Iroquois call them and other cognate tribes in their vicinity Toderigh-rono, whence Tutelo. In the seventeenth century they were often known as Esaw or Ushery, apparently from *iswā'*, river, in their own language. The Cherokee name Ata'gwa, plural Ani'ta'gwa, is a corruption of the popular form. Their linguistic affinity with the Siouan stock was established by Gatschet in 1881. See Mooney, Siouan Tribes of the East.

The southern and western tribes: The Creek confederacy.—Next in importance to the Cherokee, among the southern tribes, were the Indians of the Creek confederacy, occupying the greater portion of Georgia and Alabama, immediately south of the Cherokee. They are said to have been called Creeks by the early traders on account of the abundance of small streams in their country. Before the whites began to press upon them their tribes held nearly all the territory from the Atlantic westward to about the watershed between the Tombigby and the Pearl and Pascagoula Rivers, being cut off from the Gulf coast by the Choctaw tribes, and from the Savannah, except near the mouth, by the Uchee, Shawano, and Cherokee. About the year 1800 the confederacy comprised 75 towns, the people of 47 of which were the Upper Creeks, centering about the upper waters of the Alabama, while those of the remaining 28 were the Lower Ceeks, upon the lower Chattahoochee and its branches (Hawkins). Among them were represented a number of tribes formerly distinct and speaking distinct languages. The ruling tribe and language was the Muscogee (plural, Muscogūlgee), which frequently gave its name to the confederacy. Other languages were the Alabama, Koasati, Hichitee, Taskigi, Uchee, Natchee, and Sawanugi or Shawano. The Muscogee, Alabama, Koasati, Hichitee, and Taskigi [illegible]

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however, being nearer linguistically to the Choctaw than to the Muscogee. The Hichitee represent the conquered or otherwise incorporated Muskhogean tribes of the Georgia coast region. The Apalachi on Appalachee Bay in Florida, who were conquered by the English about 1705 and afterward incorporated with the Creeks, were dialectically closely akin to the Hichitee; the Seminole also were largely an offshoot from this tribe. Of the Taskigi all that is known has been told elsewhere.

The Uchee, Natchee, and Sawanugi were incorporated tribes, differing radically in language from each other and from the Muskhogean tribes. The territory of the Uchee included both banks of the middle Savannah, below the Cherokee, and extended into middle Georgia. They had a strong race pride, claiming to be older in the country than the Muscogee, and are probably identical with the people of Coftachiqui, mentioned in the early Spanish narratives. According to Hawkins, their incorporation with the Creeks was brought about in consequence of intermarriages about the year 1729. The Natchee or Natchez were an important tribe residing in lower Mississippi, in the vicinity of the present town of that name, until driven out by the French about the year 1730, when most of them took refuge with the Creeks, while others joined the Chickasaw and Cherokee. The Sawanugi were Shawano who kept their town on Savannah River, near the present Augusta, after the main body of their tribe had removed to the North about 1692. They probably joined the Creeks about the same time as their friends, the Uchee. The Uchee still constitute a compact body of about 600 souls in the Creek Nation, keeping up their distinct language and tribal character. The Natchee are reduced to one or two old men, while the Sawanugi have probably lost their identity long ago.

According to Morgan, the Muscogee proper, and perhaps also their incorporated tribes, have 22 clans. Of these the Wind appears to be the leading one, possessing privileges accorded to no other clan, including the hereditary guardianship of the ancient metal tablets which constitute the palladium of the tribe. By the treaty of Washington in 1832, the Creeks sold all of their remaining lands in their old country and agreed to remove west of the Mississippi to what is now the Creek Nation in the Indian Territory. The removal extended over a period of several years and was not finally accomplished until 1845. In 1898 the citizen population of the Creek Nation numbered 14,771, of whom 10,014 were of Indian blood and the remainder were negroes, their former slaves. It appears that the Indian population included about 700 from other tribes, chiefly Cherokee. There are also about 300 Alabama, "Cushatta" (Koasati), and Muscogee in Texas. See also Hawkins, Sketch of the Creek Country; Gatschet, Creek Migration Legend; Adair, History of the American Indians; Bartram, Travels; The Five Civilized Tribes, Bulletin of the Eleventh Census; Wyman, in Alabama Historical Society Collections.

Chickasaw.—This tribe, of Muskhogean stock, formerly occupied northern Mississippi and adjacent portions of Alabama and Tennessee, and at an early period had incorporated also several smaller tribes on Yazoo River in central Mississippi, chief among which were the cognate Chokchuma. The name occurs first in the De Soto narrative. The Chickasaw language was simply a dialect of Choctaw, although

acter, the former being active and warlike, while the latter were notoriously sluggish. Throughout the colonial period the Chickasaw were the constant enemies of the French and friends of the English, but they remained neutral in the Revolution. By the treaty of Pontotoc in 1832 they sold their lands east of the Mississippi and agreed to remove to Indian Territory, where they are now organized as the Chickasaw Nation. According to Morgan they have 12 clans grouped into two phratries. In 1890 the citizen population of the nation (under Chickasaw laws) consisted of 3,941 full-blood and mixed-blood Chickasaw, 681 adopted whites, 131 adopted negroes, and 946 adopted Indians from other tribes, chiefly Choctaws. Under the present law, by which citizenship claims are decided by a Government commission, "Chickasaw by blood" are reported in 1898 to number 4,230, while "white and negro" citizens are reported at 4,818. See also Gatschet, Creek Migration Legend; The Five Civilized Tribes, Bulletin of Eleventh Census.

EXHIBIT H.

HISTORY OF THE TUSCARORAS.

[From Handbook of American Indians.]

TUSCARORA (*Skarū'rē'*, "hemp gatherers," the *Apocynum cannabinum*, or Indian hemp, being a plant of many uses among the Carolina Tuscarora; the native form of this appellative is impersonal, there being no expressed pronominal affix to indicate person, number, or gender). Formerly an important confederation of tribes, speaking languages cognate with those of the Iroquoian linguistic group, and dwelling, when first encountered, on the Roanoke, Neuse, Taw (Torhunta or Narhontes), and Pamlico rs., N. C. The evidence drawn from the testimony of writers contemporary with them, confirmed in part by tradition, makes it appear that while occupying this primitive habitat the Tuscarora league was composed of at least three tribal constituent members, each bearing an independent and exclusive appellation. The names of these component members still survive in the traditions of the Tuscarora now dwelling in w. New York and s. Ontario, Canada. The first of these tribal names is *Kā'ū'nu'ā'kā'*, i. e., "People of the Submerged Pine-tree;" the second *Akawēnū'ūkā'* (meaning doubtful); and the third, *Skarū'rē'*, "Hemp Gatherers." Cusick (Hist. Six Nations, 34, 1828) wrote these tribal appellations "Kautanohaksu," "Kauwetseka," and "Tuscarora," respectively, and (p. 31) refers also to the "Esaurora, or Tuscarora," from which it may be inferred that Esaurora is a synonym of Skarū'rē'. According to the same authority (p. 36), the Tuscarora, on traditionary evidence, possessed in early times the "country lying between the sea shores and the mountains, which divide the Atlantic States," in which they had 24 large towns and could muster 6,000 warriors, probably meaning persons. Lawson, a better authority, wrote that in 1708 the Tuscarora had 15 towns and about 1,200 warriors—perhaps a minimum estimate of the true number of their fighting-men; and Johnson (Legends, etc., of the Iroquois, 1881) says that the Tuscarora in North Carolina had 6 towns and 1,200 warriors, which was probably approximately true of the Tuscarora proper. Col. Barnwell, the commander of the South Carolina forces in the war of 1711–12, said that the Tuscarora or "the enemy can't be less than 1,200 or 1,400 [warriors], which may be easily judged by their large settlements;" but Gov. Spotswood of Virginia placed their fighting strength at 2,000 men in 1711. According to Barnwell the Tuscarora had 3 towns on Pamlico r., of which one was Ucouhnerunt, but that most of their towns were on Neuse r., and its many affluents. Some indication of the extent of the territory claimed by the Tuscarora may be obtained from the terms of the truce declared between the Tuscarora and Col. Barnwell in 1712. It was agreed therein that the Tuscarora were "to plant only on Neuse River, the creek the fort is on, quitting all claims to other lands. . . . To quit all pretensions to planting, fishing, hunting or ranging to all lands lying between Neuse River and Cape

Feare, that entirely to be left to the So. Carolina Indians, and to be treated as enemies if found in those ranges without breach of peace, and the enemy's line shall be between Neuse and Pamblico . . . fishing on both sides Bear River." This would indicate that Cape Fear r. was the southern boundary of the Tuscarora territory.

History.—The data for the history of the Tuscarora are meager and fragmentary, hence while they were at first an important people of North Carolina, little is evidently known regarding them, and that little usually applies to only a part of the people. The first authentic information concerning the Tuscarora is that recorded by Lawson, the Surveyor General of North Carolina, who knew them well, having lived in close contact with them for many years. His History of Carolina, having been written about 1709 and published in 1718, contains nothing in regard to the Tuscarora during the most eventful period of their history, namely, that covering the years 1711 to 1713. During this time they fought two wars with the colonists of North Carolina, who were effectively aided by those of South Carolina and Virginia, reenforced by their tributary Indian allies. The first war began with the capture of Lawson and the Baron De Graffenried by about 60 Tuscarora and the condemnation to death of the former in September, 1711. Immediately following, a portion of the Tuscarora under Hancock, the Coree, Pamlico, Matamuskeet, Bear Rivers, and Machapungo, conspired to cut off the whites, each one of the tribes agreeing to operate in its own district whence they were being driven by the steady encroachment of the colonists. This compact resulted in the massacre of about 130 of the colonists on September 22, 1711, on Trent and Pamlico Rrs., by the tribes mentioned. Col. Barnwell was sent by South Carolina to aid the hard-pressed colonists of North Carolina, and succeeded in driving the Tuscarora into one of their palisaded towns about 20 m. above Newbern, N. C., where he defeated them and later induced them to accept terms of peace; but Barnwell violated this treaty by seizing some of the Indians and sending them away into slavery. This was the beginning of the second war between the Tuscarora and their allies and the people of North Carolina. Again an appeal was made to South Carolina for aid, which responded by sending Col. James Moore with a small militia force and about 900 tributary Indians.

Of the Tuscarora, Lawson said that they possessed many amiable qualities; that, in fact, they were "really better to us than we have been to them, as they always freely give us of their victuals at their quarters, while we let them walk by our doors hungry, and do not often relieve them. We look upon them with disdain and scorn, and think them little better than beasts in human form; while with all our religion and education, we possess more moral deformities and vices than these people do." This attitude of the whites toward the Indians naturally led to the troubles later, which ended in much bloodshed and cruelty on both sides. Although the Tuscarora were regarded as mild, kind, peaceable, ingenious, and industrious, they were speedily brutalized by the vices of the colonists with whom they came in contact; their women were debauched by the whites, and both men and women were kidnapped to be sold into slavery. The colonists of North Carolina, like their Puritan brethren of New England, did not recognize in the Indian any right to the soil, hence the lands of the Tuscarora and of their Indian neighbors and allies were

appropriated without thought of purchase. It is not strange, therefore, that such conduct on the part of the whites should eventually have awakened distrust and jealousy in the minds of the erstwhile amiable Tuscarora, which, fomented by these and other grievances, finally ripened into a hatred which led to resistance and reprisal.

Perhaps the most lucid and condensed statement of the wrongs suffered by the Tuscarora before vainly attempting to right them is contained in a petition made to the Provincial Government of Pennsylvania in 1710. More than a year before the massacre of 1711 the Tuscarora had officially formulated a number of proposals embodying their grievances and their desire to have these adjusted or removed by the conclusion of peace, and to this end they sent, through the Conestoga (Susquehanna), an embassy with these pacific overtures to the people and government of Pennsylvania. The governor and provincial council dispatched two commissioners to meet this embassy at Conestoga on June 8, 1710, where, in addition to the Tuscarora emissaries, they found Civility and four other Conestoga chiefs, and Opessa, the head chief of the Shawnee. In the presence of these officials the Tuscarora ambassadors delivered their proposals, attested by eight wampum belts, at the same time informing the Pennsylvania commissioners that these were sent as an overture for the purpose of asking for a cessation of hostilities until the following spring, when their chiefs and headmen would come in person "to sue for the peace they so much desired." By the first belt, the elder women and the mothers besought the friendship of the Christian people, the Indians and the government of Pennsylvania, so they might fetch wood and water without risk or danger. By the second, the children born and those about to be born, implored for room to sport and play without the fear of death or slavery. By the third, the young men asked for the privilege to leave their towns without the fear of death or slavery to hunt for meat for their mothers, their children, and the aged ones. By the fourth, the old men, the elders of the people, asked for the consummation of a lasting peace, so that the forest (the paths to other tribes) be as safe for them as their palisaded towns. By the fifth, the entire tribe asked for a firm peace. By the sixth, the chiefs asked for the establishment of a lasting peace with the government, people, and Indians of Pennsylvania, whereby they would be relived from "those fearful apprehensions they have these several years felt." By the seventh, the Tuscarora begged for a "cessation from murdering and taking them," so that thereafter they would not fear "a mouse, or anything that ruffles the leaves." By the eighth, the tribe, being strangers to the people and government of Pennsylvania, asked for an official path or means of communication between them.

Stripped of metaphor and the language of diplomacy, the purport of this message is plain; it was the statement of a tribe at bay, that in view of the large numbers of their people who were being kidnaped to be sold into slavery or who were being killed while seeking to defend their offspring and their friends and kindred they desired to remove to a more just and friendly government than that whence they came. At this time there was no war between them and the white people; there had as yet been no massacre by the Tuscarora, no threat of hostility on the part of the Indians, yet to maintain peace and to avoid the impending shedding of blood they

were even then willing to forsake their homes. The commissioners of Pennsylvania, however, informed the delegates, among other things, that "to confirm the sincerity of their past carriage toward the English, and to raise in us a good opinion of them, it would be very necessary to procure a certificate from the government they leave, to this, of their good behaviour, and then they might be assured of a favourable reception" (Min. Prov. Coun. Pa., II, 511, 1852). The Conestoga ("Seneques") chiefs present at this conference stated that by the advice of their council it had been determined to send these belts, brought by the Tuscarora, to the Five Nations. It was the reception of the belts with their pitiful messages by these Five Nations that moved the latter to take steps to shield and protect the Tuscarora, which gave so much apprehension to the northern colonies.

The rapid encroachment of the whites on the lands of the Tuscarora and their Indian neighbors for a period of 60 years after the first settlements, although there was an air of peace and harmony between the two races, were wrongs which dwarfed in comparison with the continued practice of kidnaping their young to be sold into slavery. This was the true cause of the so-called Tuscarora War in 1711–1713. This phase of the question is overlooked or quite disregarded by most historians; but years before the massacre of 1711, Tuscarora Indians were brought into Pennsylvania and sold as slaves, a transaction that excited grave apprehension in the minds of the resident Indian tribes. To allay as much as possible this growing terror among them, the provincial council of Pennsylvania enacted in 1705 that, "Whereas the importation of Indian slaves from Carolina, or other places, hath been observed to give the Indians of this province some umbrage for suspicion and dissatisfaction," such importation be prohibited after March 25, 1706. This enactment was based solely on expediency and self-interest, since it was evident that the Indians to the southward were in a general commotion. During the Tuscarora War an act was passed, June 7, 1712, forbidding the importation of Indians, but providing for their sale as slaves to the highest bidder in case any should be imported for that purpose. It is known that the prisoners of Col. Barnwell and Col. Moore were all sold as slaves, even the northern colonies being canvassed for a market for them; indeed, the Boston News Letter of 1713 contained an advertisement offering these very Indians for purchase.

According to De Graffenried, Surveyor Gen. Lawson in 1709–10 settled his people, the Swiss and Palatines, on the south bank of Trent River, on a tongue of land called Chattawka, formed by the Trent and the Neuse in North Carolina, in a hot and unhealthful situation. De Graffenried bitterly complained that the surveyor general was dishonest for having charged him a "heavy price" for it, and for the consequences of his not knowing that Lawson had no title to the land and that the place was still inhabited by the Indians, although the surveyor general had attested that the land was free of encumbrance and unoccupied. This encroachment on the Indian lands was one of the fundamental causes of the so-called Tuscarora War. It is well known that the Coree, together with their close allies, the hostile Tuscarora, in 1711 took vengeance on the Swiss and Palatines settled on Trent River, killing about 70 of them, wounding many others,

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After the close of the war of 1711–1713 in North Carolina, the neutral Tuscarora, with remnants of allied tribes still remaining in that country, were placed under the rule of Chief Tom Blunt, or Blount, by treaty with the provincial government of North Carolina. From an act of the General Assembly of North Carolina, in 1778, it is learned that Withmell Tuffdick was then the ruling chief; but the last ruling chief of the North Carolina Tuscarora was Samuel Smith, who died in 1802.

In 1767, the renown of the Moravian mission station at Friedenshuetten (q. v.) in Pennsylvania was so great that many Indians from various tribes, including the Tuscarora, probably from Oquaga, Ingaren, and vicinity, were constantly stopping there. Many passed through it merely to see a place so famous for its hospitality. In May, 1766, seventy-five Tuscarora, according to Loskiel, on their way from North Carolina, halted here and remained for some weeks. They are described as lazy and "refuse to hear religion." During their stay the Tuscarora were so alarmed at the sight of the first snow that they left their huts down by the river and took refuge with the missionaries. A number of Tuscarora arrived at the mission to remain there; these had planted their crops during 1766 at the mouth of Tuscarora Creek, Wyoming County, Pa.

On December 16, 1766, Sir William Johnson received at Mount Johnson, N. Y., 160 Tuscarora who had just arrived from North Carolina. They complained to him that on their way thither they had been robbed at Paxtang, in Pennsylvania, of their horses and other property to the value of about $300.

Later the Tuscarora on the Susquehanna, dwelling at Oquaga and in its vicinity, had lands assigned them by the Oneida, their political sponsors. These lands were bounded on the east by Unadilla River, on the west by the Chenango, and on the south by the Susquehanna. In the northern part of this allotment were situated the towns of Ganassarage, on the site of Sullivan, Madison County, N. Y., and Kannehsuntahkeh. A number of the Tuscarora lived with the Oneida in their chief village. On these lands a large portion of the Tuscarora remained until the events of the Revolution displaced them. By the terms of the treaty of Fort Herkimer in 1785 with the State of New York, to which the Tuscarora were nominal parties, the Oneida, the original proprietors of the lands then occupied by the Tuscarora, conveyed to New York the lands of the Tuscarora and retained the proceeds of the sale; thus the Tuscarora were again without a home. Thereafter they became dispersed. Later they had a village called Junastriyo (Tcunăstri'io') in the Genessee Valley,

below Avon, N. Y.; another, called Jutaneaga (Tcutănăă'' kiă'), at the fork of Chittenango Creek; and another called Kanhato (Kă'n-'ha''nŭ').

According to Johnson (legends, etc.), a part of the fugitive Tuscarora settled at a point about 2 miles west of Tamaqua, Schuylkill County, Pa., where they planted apple trees and lived for a number of years. It is probable that it was these Tuscarora who later removed to Oquaga, in the vicinity of which they had three other towns in 1778. Another band of fugitives settled in Tuscarora Valley (as it was called later from them), on Juniata River, Pa. They remained here at least as late as 1762. In a minute of a conference held at Lancaster, Pa., August 11, 1762, between Lieut. Gov. Hamilton of Pennsylvania and delegates from the Ohio Delawares, the Tuscarora of Oquaga and Lower Tuscarora, the Shawnee, the Kickapoo, the Wea, and the Miami, it is stated that six Tuscarora were present, of whom three were chiefs, who brought from their people a letter in which they asked the governor to furnish them with a pass, saying, "We should be glad to be informed of the state and behavior of our brethren in Tuscarora Valley, and to have some directions about the way, as we propose to make them a visit, and also should be glad of a pass or recommendation in writing, that we may be friendly received on our way to and at the valley."

Major portions of the Oneida and the Tuscarora, in accordance with standing agreements with the United Colonies, remained faithful to the American cause during the Revolution. When the Indian allies of the British, even some of their brethren of the Six Nations, learned that a majority of the Tuscarora had cast their lot with the Colonies, they invaded the Tuscarora country, burned their lodges, and destroyed their crops and other property. Thus again by the fortunes of war the Tuscarora were scattered and homeless. A large party of these settled at a place called Oyonwayea, or Johnson's Landing, in Niagara County, N. Y., about 4 miles east of the outlet of Niagara River, at the mouth of Four Mile Creek, in order not to be directly among the many Indians friendly to the British cause camped around Fort Niagara. At the close of the war, two families, probably clans, of Tuscarora from Oyonwayea, made their way to the northeast limits of their present reservation, where they found many walnuts and butternuts, and a fine stream. Here they decided to winter. Being missed from Oyonwayea, scouts were sent out, who found them in their newly chosen settlement, a situation so favorable that, after the gratuitous cession of their former home among the Oneida, Oyonwayea was abandoned and all the families removed to the new site. Although the Tuscarora had only a tacit permission from the Seneca to reside at this place, the last settlement became the foundation of the present Tuscarora reservation in New York. At the treaty held at Genessee, September 15, 1797, between Robert Morris and the Seneca Tribe, the Tuscarora chiefs complained for the first time since their admission to the councils of the league, that the Five Nations had from time to time allotted lands to their people, but that each time these lands had been included in a subsequent cession to the whites, and that the Tuscarora had received nothing in return for their right of occupancy or for their improvements. The justice and merits of their complaint having been acknowledged by the Five Nations, Morris reserved to the Tuscarora,

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by grant, 2 square miles, covering their settlement on the ridge mentioned above, and the Seneca thereupon granted them an adjoining square mile. About 1800–1802 a deputation was sent to North Carolina to learn whether they could obtain funds in payment for the lands they formerly occupied there, with the result that, by aid of the North Carolina Legislature, they were able to lease the Carolina lands, which yielded a fund of $13,722. This sum enabled the Secretary of War in 1804, under authority of Congress, to purchase 4,329 acres for the Tuscarora from the Holland Land Co., adjoining the 3 square miles already occupied by them. Such is the origin of the land holdings of the New York Tuscarora.

It was while the Tuscarora deputation was in North Carolina that the remnant of the tribe still residing there was brought to the north and joined their brethren in New York State.

The Tuscarora in sympathy with those of the Six Nations that adhered to the cause of Great Britain in the Revolution were granted lands in severalty on Grand River Reservation, Ontario.

The evangelizing work of Christian missionaries began among the Tuscarora in western New York as early as 1805 under the patronage of the New York Missionary Society. At first there were only six persons among the Tuscarora willing to abjure their ancient faith and customs, at least in name and appearance, and join in the missionary work; the remainder were generally strongly averse to the work of the missionaries. So violent were the struggles between the two unequal parties that in the spring of 1820 the "pagans" succeeded in inducing about 70 persons to emigrate to Canada, where they settled among the pagans of the Six Nations on the Grand River Reservation, Ontario. The church membership at this time was 16 persons. Little progress was apparent in the education of the Tuscarora, although the New York Society had maintained a school among them.

Ethnology.—The Tuscarora in New York are governed by a council of irresponsible chiefs, for the Indians have forgotten and so neglect the means to be employed in enforcing the will of the clan in case a chief fails in his plain duty; the criminal law of New York at this point nullifies the early sovereignty of the clan over its members. In common with the other tribes of the Iroquoian linguistic stock, the Tuscarora traced the descent of blood through the line of the mother, and made the civil and official military chieftainships hereditary in the *ohwatcira* of certain clans (see *Clans*) over which the women chiefs and the elder women presided. The simplest political unit was the *ohwatcira*, of which one or more constituted a clan, which was the simplest organized political unit. The Tuscarora were constituted of at least eight clans, which primitively were organized into phratries. There are no data, other than those furnished by tradition and analogy, as to the organization of the Tuscarora confederation. The clans were exogamic as to their own members, as were also the phratries in primitive times. The Tuscarora of New York being completely isolated from any of their own people who still profess their ancient dogmas and beliefs and who still practice their ancient rites and ceremonies, have preserved only a hazy recollection of their early customs, ceremonies, and rites; even less do they comprehend the meaning of the ceremonies still practiced by the so-called pagan members of cognate tribes. They are all professed Christians, and so turn away from the old forms of thought and practice of their ancestors.

The exact number of clans still existing among the Tuscarora is not definitely known, for the native authorities themselves do not agree on the number and the names of those still recognized—some informants give seven, while others with equal credibility give eight. There is likewise some diversity in regard to the correct names of certain clans. One list has Bear, Wolf, Turtle, Beaver, Deer, Eel, and Snipe; another has Bear, Eel, Large Turtle, Small Turtle, Beaver, Deer, Wolf, and Snipe; still another list has Bear, Eel, Deer, Turtle, Gray Wolf, Yellow Wolf, Beaver, and Snipe; and yet another is like the last, except that the Turtle clan is replaced by the clans Small Turtle and Large Turtle. Like differences appear in the lists of clans of the other Iroquois tribes.

The names of the civil chiefs still in use among the present two divisions of the Tuscarora (that in Ontario and the other in western New York) are: (A) *Sākwari''ɾrā'* (Sacharissa), 'The spear trailer'; *Nīhawēñā'ā'*, 'His voice is small'; *Hotio'lwawā''kē*, 'He holds or grasps the multitude,' or possibly, 'He holds or grasps his own loins'; these three belong to the Turtle clan. (B) *Nākāiēā'ē'* (signification not clear); *Utakwa'tej'a'*, 'The Bear club'; *Ionkātchānēā''wākē*, 'Its fore-paw pressed against its breast'; these three belong to the Bear clan. (C) *Nāio'kāwē'ā* (signification not known); *Neiotchā'k'dōā'*, 'It is bent'; these two belong to the Wolf clan. (D) *Karoñdawā''kē*, 'One is holding the tree'; *Thanāddā'kwā'* (signification not clear); these two belong to the Snipe clan. (E) *Kari'hēñ'tāā'*, 'It goes along teaching'; *Ni'hwo'kā'wā'*, 'He annoints the hide'; *Nākā'hēñwā''ɾ'hēñ*, 'It is twenty canoes'; these three belong to the Beaver clan. Among the Canadian Tuscarora on Grand River Reservation, Ontario, the first and last names of the Turtle clan, the first title of the Wolf clan, and the first title of the Snipe clan appear to be the only ones now in use, although these four titles are questionably also in use among the New York Tuscarora.

There is no definite information available as to the former and more complete organization into clan phratries. Some of the translations of the chieftain titles above would seem to indicate that they were originally designations of some habit, attitude, or other characteristic feature of the clan tutelary or patron, questionably called "totem." The clan name, with one or two exceptions, is not the ordinary name of the clan guardian or patron, but is rather descriptive of some feature or attitude, or is the name of the usual habitat, of the tutelary; for example, the name of the Bear clan signifies literally, 'Broken-off tail'; that of the Plover or Killdee (Snipe) 'Clean-sand people'; that of the Beaver, 'People of the stream'; that of the Turtle clan, 'Climbing-the-mountain people,' named from the position of the turtle basking, etc. It is probable that plover killdee should be substituted in the foregoing lists of clans, for the name clearly refers to the killdee's habit of running along the clean sand at the water's edge.

De Graffenried gives (N. C. Col. Rec., I, 905 et seq.) an interesting account of the preparations made for the execution of Lawson and himself by the hostile Tuscarora. In the open space or public square mentioned there was a large fire, near which was the shaman or high priest, a grizzled sorcerer, who made two white rings on the ground,

whether of flour or white sand was not stated. In front of the two victims was placed a wolf skin, and a short distance farther there stood an Indian in a terrifying posture, holding in one hand a knife and in the other a tomahawk; he was apparently the executioner. He did not move from the spot. On the farther side of the fire were assembled young men, women, and children, who danced with weird and frightful contortions and attitudes. In the center of the circle of dancers were seated two singers who intoned a dismal song, "rather fit to provoke tears and anger than joy." Within the circle of dancers the shaman stood unterrified, uttering his threatenings and adjurations and performing his exorcisms against the foes of his people and their *orenda* or "medicine," when there would come a pause in the dancing. Finally, with shouts and howls the dancers ran into the neighboring forests. In a short time they returned with their faces painted black, white, and red, in bands, and with their hair loose and flying, oiled and sprinkled with fine down or cotton from the cattail flag and with small white feathers, and some returned arrayed in all kinds of furs. After their return, the dance was renewed. Back of the two victims stood a double line of armed warriors who kept their posts until everything was over; back of this guard was the council of war, whose members were seated on the ground in a circle, gravely deliberating on the fate of the two noted prisoners. Finally, they acted on the advice of "King" Tom Blunt, the headchief of their neighbors, "the villages of the Tuscaroros," properly so called, that King Hencock should liberate De Graffenried, and could deal with Lawson as he and his council pleased. The manner of Lawson's death, as learned from Indian information, is found in a letter of Maj. Christopher Gale to his brother, Nov. 2, 1711, wherein it is said that the Indians stuck the unfortunate prisoner "full of fine small splinters of torchwood, like hogs' bristles, and so set them gradually on fire." De Graffenried was not permitted to know how Lawson was executed.

To this account of the Tuscarora method of preparing for the execution of captives may be added their triumphal ceremonies which De Graffenrid says they performed after their defeat of a relief party of Swiss and Palatines. He reports that they built bonfires at night, and especially a large one in the place of executions, where they raised "three wolf's hides, figuring as many protectors or gods," to which offerings, consisting of their jewels, were made by the women. In the middle of the cricle, the chief shaman performed all manner of contortions, conjurations, and imprecations against the enemies of his country, while the populace danced in a circle around the wolf hides.

The council of "King" Hencock, which consisted of 40 elders, was called by the Tuscarora, according to De Graffenried, the "Assembly of the Great," a translation of the Tuscarora terms for the council of chiefs, the general word for chief signifying 'one is great,' either in size or position. At the council before which Lawson and De Graffenried were tried the "forty elders" were seated around a great fire kindled in a large open space devoted to important festivals and public executions. On this occasion these chiefs and the accused were seated on rush mats, which were customarily provided for the comfort of guests as a mark of deference and honor. Although the two captives were acquitted by the first council, they were again

tried before a second council, after Lawson incautiously had had a bitter quarrel with Cor Tom, the chief of Cor town, who was not at the first council. The two captives were not given mats upon which to sit, and Lawson was condemned to death and De Graffenried was acquitted.

Lawson asserts that the most powerful tribe "scorns to treat or trade with any others, of fewer numbers and less power in any other tongue but their own, which serves for the lingua of the country; with which we travel and deal." As an example of this, the Tuscarora are cited. Being the most numerous tribe in North Carolina, their language was necessarily understood by some persons in every town of all the neighboring tribes.

The Tuscarora carried on a pernicious trade in rum with the Indians dwelling to their westward. In 1708 rum had been but recently introduced among the latter, chiefly by the Tuscarora, who transported it in rundlets several hundred miles, amongst other Indians. They sold it at "so many mouthfuls for a buckskin, they never using any other measure," the buyer always choosing a man having the largest mouth possible to accompany him to the market, and the mouthful was scrupulously emptied into a bowl brought for the purpose. The Tuscarora also traded with the Shakori and Occaneechi, selling them wooden bowls and ladles for rawhides.

Their lodges, usually round in form, were constructed of poles, covered with the bark of cypress, red or white cedar, or sometimes pine. At one place Lawson met more than 500 Tuscarora in one body in a hunting camp. They had constructed their lodges with bark, "not with round tops, as they commonly use, but ridge fashion, after the manner of most Indians." Among them he found much corn, while meat and venison were scarce, because of the great number of people, for although they were expert hunters, they were too populous for one range.

According to Lawson, the native Tuscarora of North Carolina had rather flat bodies, due probably to the fact that in early infancy the children were swathed to cradle-boards. He adds: "They are not of so robust and strong bodies as to lift great burdens, and endure labor and slavish work, as Europeans are; yet some that are slaves prove very good and laborious." They were dextrous and steady, and collected in the use of their hands and feet; their bearing was sedate and majestic; their eyes were commonly full and manly, being black or dark hazel in color, and the white of the eye was usually marbled with red lines; their skin was tawny, and somewhat darkened by the habit of anointing it with bear's oil and a pigment resembling burnt cork. When they wished to be very fine they mixed with the oil a certain red powder made from a scarlet root growing in the hilly country. This root was held in great esteem among them, selling it one to another at a very high price, on account of the distance from which it came and the danger to which they were exposed in obtaining it. The Tuscarora and other Indians attempted to cultivate this plant, but it would not grow in their land. As a substitute they sometimes used puccoon root, which also has a crimson color, but this dyed the hair an ugly hue. The heads even of the aged were scarcely ever bald; their teeth were tinged yellow from smoking tobacco, to which habit both men and women were much addicted;

they, however, did not snuff or chew tobacco. They plucked the hair from their faces and bodies. There were but few deformed or crippled persons among them.

The Tuscarora had many dances suitable to various occasions; these as a rule were accompanied with public feasts prepared under the direction of the women chiefs. Every dance had its peculiar song, but probably was not changed for every occasion on which the dance was performed, although Lawson states that "all these songs are made new for every feast; nor is one and the same song sung at two several festivals. Some one of the nation, which has the best gift of expressing their designs, is appointed by their king and war captains to make these songs." To these festivals the people came from all the towns within 50 or 60 m., "where they buy and sell several commodities."

The Tuscarora, in like measure with the northern Iroquois, were passionately given to gaming, frequently stripping one another of every piece of property available. Sometimes they went even so far as to bet themselves away to the winner, readily becoming his slave until he or his relatives could pay the redemption price; nevertheless they bore their losses with great equanimity, no matter how ruinous they were. Among their games was that of a bundle of 51 split reeds about 7 in. in length and neatly made. The game consisted in throwing a part of the bundle before an opponent, who must on sight guess the number thrown. It is said that experts were able to tell the number correctly ten times in ten throws. A set of these reeds was valued at a dressed doeskin. The Tuscarora also had the well-known bowl and plum-seed game, which is such an important adjunct to the thanksgiving festivals of the northern Iroquois. They also had a number of other games, but some of their neighbors had games which they did not have.

There were feasts among the Tuscarora when several villages united to celebrate some event or when two or more tribes assembled to negotiate peace. There were feasts and dances of thanksgiving, and invocations to the gods that watched over their harvests, when their crops were garnered and when the first fruits of the year were gathered.

Population.—No trustworthy estimates of the Tuscarora population at any given date, exclusive of those of Lawson and Barnwell, previous to 1830, are available for the entire Tuscarora people. The earliest and perhaps most authoritative estimate of the total Tuscarora population at a given time was that of Lawson in 1708. His estimate of 15 towns and 1,200 fighting men would indicate a population of about 4,800 at that date; Col. Barnwell's figures are somewhat larger than Lawson's, though they appear to be conservative; his estimate was 1,200 to 1,400 warriors, or a maximum population of about 5,600 persons. The estimate of Chauvignerie in 1736 was 250 warriors, or about 1,000 persons. His estimate was restricted to the Tuscarora living near Oneida, N. Y., hence did not include those living in North Carolina or on the Susquehanna and Juniata rs. Other estimates of this group give them 1,000 (1765), 2,000 (1778), 1,000 (1783) 400 (1796), in the United States; 414 (1885) in New York and an equal number in Canada, or a total of 828; 364 (1909) in New York, and 416 (1910) in Canada, a total of 780.

Settlements.—The following Tuscarora towns have been mentioned in writings pertaining to this people: Annasooka, Chunaneets, Coerntha, Cohunche, Conauhkare, Contahnah, Cotechney, Coram, Corutra, Eno, Ganasaraga, Ganatisgowa, Harooka, Harutawaqui, Ingaren, Junastriyo, Jutaneaga, Kanhato, Kaunehsuntshkeh, Kenta, Kentannaka, Naurheghne, Nonawharitse, Nursoorooka, Nyuchirhaan, Ohagi, Oonossora, Oneida (in part), Oquaga, Shawhiangto, Tasqui, Tiochcrungwe, Tonarooka, Torhunte, Tosneoc, Tuscarora, Unanauhan, Ucouhnerunt. Some of these towns were in North Carolina, others on Juniata r. in Pennsylvania, others on the Susquehanna in Pennsylvania, others on the Susquehanna in New York, while others were s. of Oneida Lake in New York, and one in Genessee Valley. The exact situation of the majority of these towns is not definitely known. In some instances the Tuscarora shared a town with other tribes, as was the case at Anajot (Oneida, or Ganowarohare) and Onohoquaga.

Treaties.—The Tuscarora have taken part in the following treaties between the United States and the Six Nations: Ft. Stanwix, N. Y., Oct. 22, 1784; Ft. Harmar, Ohio, Jan. 9, 1789; Canandaigua (Konondaigua), N. Y., Nov. 11, 1794; Oneida, N. Y., Dec. 2, 1794; Buffalo Creek, N. Y., Jan. 15, 1838.

For further information consult Elias Johnson (native Tuscarora), Legends, Traditions and Laws of the Iroquois, or Six Nations, and History of the Tuscoroes Indians, 1881; Documents Relating to the Colonial History of New York, I–XI, 1855–61; Documentary History of New York, I–IV, 1849–51; Pennsylvania Archives, I–XII, 1852–56 Minutes of the Provincial Council of Pennsylvania (Colonial Records), I–XVI, 1852–53; South Carolina Historical and Genealogical Magazine, I–X, especially IX and X; Virginia Magazine, I–XV, 1893–1908; Lawson, History of Carolina, 1714, repr. 1860; Publications of the Buffalo Hist. Soc., especially Vol. VI. (J. N. B. H.)

EXHIBIT I.

HISTORY OF THE OLD CHERAWS.

[From Gregg's History of the old Cheraws.]

CHAPTER I.

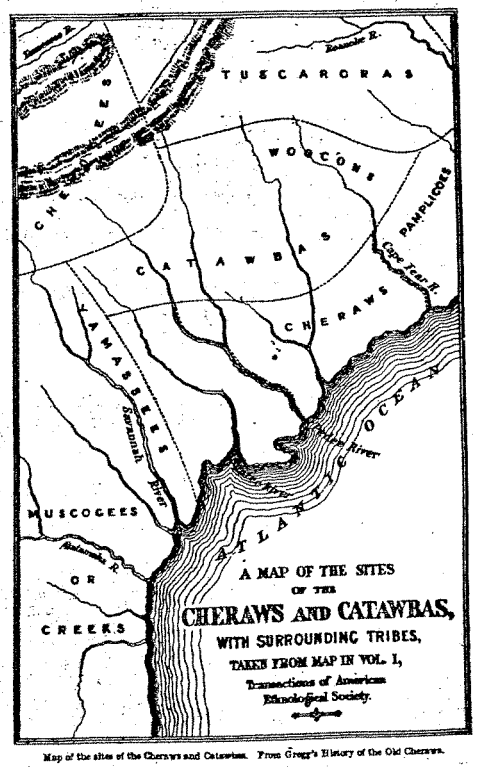
Indian tribes in Carolina—Extent of their territory—Other tribes—Pedees—Kadapaws—Localities of each—Their origin—Advent of the Catawbas—Their tradition—Subsequent relation to tribes on the Pedee—Lederer's narrative—Localities identified—Sara, where—First mention in public records of tribes on the Pedee—Visit of the Cheraws to Charlestown—Governor's visit to the Congerees—Interview with Pedees—Governor Glenn writes to Governor Clinton—Evans's Journal—Cheraws visit Charlestown—Smallpox prevails—Removal of Cheraws and union with Catawbas—Catawba History—Languages of tribes on the Pedee—Meaning of "Cheraw"—"Pedee"—Indian remains on the Pedee—Indian habits and customs—Lawson's narrative—Last of Cheraws and Catawbas.

There is a sad chapter in the history of the New World: it is that relating to the aborigines of America—a people, as all accounts agree, distinguished for many noble traits, but invariably degenerating in character and habit as they have come in contact with the "pale-faces," and taken up their mournful line of march toward the setting sun.

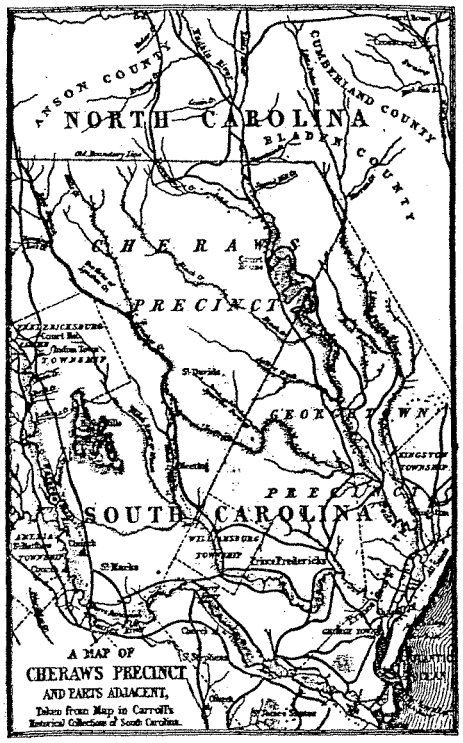
When first known to the colonists, South Carolina is said to have contained not less than 28 tribes of Indians, with settlements extending from the ocean to the mountains. Of these tribes but a few names survive to mark the localities they once inhabited; and these, with such scattered remains as the waste of time and the leveling work of the white man have spared, are the only memorials left to tell of their early occupancy of the soil. Of the tribes which dwelt upon the Pedee and its tributaries, the Saras, or Saraws, as they were first called—afterwards Charrows, Charraws, and Cheraws—occupied the region still identified by the name; their territory extending thence to the coast, and along the coast from the Cape Fear to the Pedee. This extensive region has been assigned to the Cheraws by one of the most eminent ethnologists of America, as among the sites of the Indian tribes when first known to the Europeans, about the year 1600, along the coast of the Atlantic.[1]

If such was the extent of their territory at that early period, it would indicate a population which must have been greatly diminished, when, upon the approach of the Catawbas, a half century later, the supremacy of the Cheraws over the smaller tribes around them, and even over their own distinct nationality, would seem to have been lost, or at least unacknowledged. Within these early territorial limits of the Cheraws, and along the middle and lower parts of the valley of the river, must be assigned the Pedees; and about the mouth of the river, the Winyaws. The Kadapaws were found on Lynches Creek, after the name of which tribe that stream was called

[1] See map annexed, by the late Albert Gallatin, Vol. I, of Transactions of American Ethnological Society,



Map of the sites of the Cheraws and Catawbas. From Gregg's History of the Old Cheraws.



Map of Cheraws precinct. From Gregg's History of the old Cheraws.

in the Indian tongue. Of these, the Cheraws—however they may have been diminished in number by disease and war, or perchance by some dismemberment of their nation, and the removal of many, of which no record or tradition remains—continued to be the dominant race on the Pedee; the others having ever been reckoned among the smaller and inferior tribes. Of their origin nothing is known beyond the conjectures of ethnologists. They have been assigned, but upon what grounds does not appear, to the extensive family of Algonkins. These occupied that portion of North America on the east extending from 35° to 60° north latitude, and reaching along the northern line of extension almost to the Pacific on the west. Beyond this, as the track of aboriginal descent and migration begins to be traced back, even conjecture is lost in a sea of uncertainty.

The tribes on the Pedee continued in their feeble and disconnected state (the Cheraws maintaining the supremacy) until the arrival of the Catawbas from the north, with the history of whom their own was ever after to be inseparably blended.

According to their tradition,[1] as it has been handed down to very recent times, the Catawbas, at a period prior or not long subsequent to the discovery and settlement of North America by the whites, occupied a region far to the northward, from whence, in course of time, they removed to the south. Being a numerous and warlike race, they vanquished the tribes with whom they came successively in conflict on the way, until they met the Cherokees on the banks of the river, afterwards called by their own name, Catawba.

Here, as the tradition relates, a sanguinary battle ensued between them, which lasted from morning until night, darkness alone serving to put an end to the conflict. The loss on both sides was heavy, though neither party gained the victory. They slept on the field of blood among their dead and wounded. With the approach of morning, propositions of peace were made by the Catawbas and accepted by the Cherokees. According to the terms of the agreement, the former were to occupy the country east of the river, and the latter the territory on the west. Here they solemnly agreed to live together as brothers; and, after burying their dead, and erecting piles of stones as monuments alike to their common loss and of the peace and friendship established between them, returned to their encampments, ever afterwards sacredly observing the terms of the compact. This tradition of the Catawbas is confirmed throughout by the fuller details which ethnological research has added to their history. They appear to have been a Canadian tribe, and to have left their ancient home about the year 1650, pursued by the Connewangas, a superior and more warlike tribe, with whom they had come in conflict. Forced thus to remove, they turned their faces to the southward, and fought their way, when necessary to do so, until they approached the headwaters of the Kentucky River. Here a separation took place, the larger number becoming absorbed in the great families of the Chickasaws and Choctaws.

The remainder of the tribe stopped in what was afterwards known as Bottetourt County, Va., but without making any permanent settlement.

[1] For this interesting traditional account, as given by the Catawbas, the author is indebted to W. H. Thomas, Esq., of Qualla Town, N. C., who has been intimately connected with them, as their head man, or chief, since their removal to the western part of that State.

They removed thence in the year 1660, continuing their journey to the south, and, as Adair wrote,

settled on the east side of a broad, purling river, that heads in the great blue ridge of mountains, and empties itself into Santee River, in Amelia township, then running eastward of Charlestown, disgorges itself into the Atlantic.

On the banks of this river, the Eswa Tavora (as it was called in the Indian tongue), they met the Cherokees, whose extensive territory ran thence to the westward, and there followed the sanguinary conflict, of which some account has been given.

In this battle 1,000 of the bravest warriors were lost on each side, greatly reducing the force of the Catawbas, and doubtless making a permanent impression on their spirit as a warlike race, for which they had been so celebrated in the earlier periods of their history.

How the approach of the Catawbas was regarded by the Cheraws, and whether any conflict ensued between them, tradition does not inform us. The approach of a strong and formidable tribe was generally regarded by the Indians as a hostile demonstration and claim to dominion. Already, doubtless, the decline of the Cheraws had commenced and made such progress as to unfit them for contesting the claim to supremacy. It was to be the story of a continuous decline, and of a race scattered or absorbed into another superior to themselves, the beginning of the last and most mournful chapter in their history. A portion of the Cheraws, however, must have remained distinct and independent for more than a century later, as will be found in tracing their subsequent course. They were henceforth to be wanderers, the remains of their once extensive dominion, with those of the smaller tribes around them, having passed away to the Catawbas. The territory of the latter was placed in 34° north latitude, being bounded on the north and northeast by North Carolina; on the east and south by South Carolina; and about west and southwest by the Cherokee nation.[1]

The smaller tribes on the waters of the Pedee, appear after this period to have had but a nominal existence. They had doubtless degenerated through the operation of those wasting and destructive agencies at work in the history of the aboriginal races; and, in addition, had undergone the process, common among the Indians, of becoming absorbed in their conquerors or in the larger tribes around them.

In this instance they were merged chiefly in the Catawbas. About the year 1743, the language of the Catawbas is said to have consisted of 20 different dialects, of which the "Katahba" was the standard, or court dialect, the "Cherah" being another. Scarcely anything beyond a bare allusion to them by name is found relating to the tribes on the Pedee in the earliest accounts of the Indians of Carolina. With the exception of the Cheraws, they were reckoned among the smaller and inferior tribes, most of whom had then greatly degenerated and were rapidly approaching extinction. Brief allusions are found at an early period to the several tribes in the acts of the assembly, passed for the regulation and support of the Indian trade. The larger tribes on the northern and western boundaries of the Province engaged the attention of the Government almost exclusively. The Catawbas formed a sort of barrier against their incursions, and of them there is frequent mention.

[1] Adair, p. 224.

Of the Cheraws the first distinct relation in any contemporaneous record, is found in the explorations of John Lederer, "in three several marches from Virginia to the west of Carolina and other parts of the Continent; begun in March, 1669, and ended in September, 1670."[1]

Such at least is the case if we are to understand by "Sara," as he writes it, the locality of the "Sarawä," as they were sometimes called, or Cheraw Indians. Thus, in one of his journeys, Lederer says:

I departed from Watery the one-and-twentieth of June, and keeping a west course for near thirty miles, I came to Sara. Here I found the ways more level and easy. I did likewise, to my no small admiration, find hard cakes of white salt among them; but whether they were made of sea-water or taken out of saltpits I know not, but am apt to believe the latter, because the sea is so remote from them. From Sara I kept a southwest course until the five-and-twentieth of June, and then I reached Wissacky. This three days' march was more troublesome to me than all my travels besides, for the direct way which I took from Sara to Wissacky is over a continued marsh overgrown with weeds, from whose roots spring knotty stumps, as hard and sharp as flint.

I was forced to lead my horse most part of the way, and wonder that he was not either plunged in the bogs or lamed by those rugged knots. This nation is subject to a neighbor king residing upon the bank of a great lake called Usbery, environed of all sides with mountains and Wissacky marsh.[2].

There is great difficulty throughout Lederer's narrative, as Dr. Hawks more than once remarks, in determining the routes by which he passed and the localities described. If by "Watery," the Wateree of the present day is to be understood, he could not by going west 30 miles to "Wissacky," and thence three days' march by a southwest course to "Usbery," have reached the Santee; for by "Usbery" the Santee was meant, if the authority quoted by Dr. Hawks is correct: Col. Byrd, he adds, says that the Indians living on the Santee River were called "Usheries." If, on the other hand, amid the confusion of names which could not have been very well defined at that early period, we may understand by "Watery" the Pedee of the present day, a journey of 30 miles to the west would have brought Lederer to Lynche's Creek, the "Wissacky," and three days' march from thence southwestwardly along the swamp of Wateree, would have enabled him to reach the Santee, environed by the "High Hills" which have since become so famous, called by this early explorer, "Mountains," and with an almost impenetrable swamp of vast extent, to which his description of a "marsh overgrown with reeds," would very well answer.

In support of this view, we find in Oldmixon's History of Carolina, published in 1708, reason for supposing that the Pedee was then called by that name (Watery). Describing the six counties into which Carolina, North and South, was then divided, he begins with Albemarle, on the borders of Virginia. Then follows an account of Clarendon County, in which, he says:

is the famous promontory, called also Cape Fear, at the mouth of Clarendon River, called also Cape Fear River. The next river is named Waterey River, or Winyan, about twenty-five leagues distant from Ashley River: it is capable of receiving large

[1] For a full account of this early American traveler, the reader is referred to Dr. Hawks' History of North Carolina, Vol. II pp. 43-62, with maps annexed.
[2] Hawks's History of North Carolina, Vol. II, p. 48.

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ships, but inferior to Port Royal, nor is yet inhabited. There is another small river called Wingoo River, and a little settlement honoured with the name of Charles-town, but so thinly inhabited that 'tis not worth taking notice of. We come now to South Carolina, which is parted from North by Zantee River. The adjacent county is called Craven County.[1]

It is evident that the "Waterey" here spoken of, was the Waccamaw, or the lower Pedee, and not the Wateree of the present day.

The Pedee being a much longer stream than the Waccamaw, it is not impossible that though the latter was known by the name of Waterey, or Winyan near its mouth, the former being supposed to form its extension higher up, was also in like manner designated. Dr. Hawks remarks:

Watery, Sara, Wisacky, and Ushery, would all appear to have been in South Carolina, the last directly west of Charles-town. If he made his journey then, entering the State somewhere in Robeson County, he must have crossed in a south-western line, and passing through Robeson County into South Carolina, must have traversed that State also in its entire width. The time occupied would not have been sufficient for it. Lederer's Itinerary presents difficulties which we confess we cannot satisfactorily solve.[2]

If, as is here conjectured, Lederer passed through Robeson County into South Carolina, the supposition we have made will appear the more probable. And it brings to light the fact never before suggested or imagined, perhaps, that the Pedee in the earlier days of aboriginal history was known as "Sara." If it was so, the time and reason of the change to Pedee can be left to conjecture only.

It might have taken place after the advent of the Catawbas and been brought about by them in order that such a standing memorial of the "Sara" dominion might be forever obliterated; or, what is yet more probable, the "Sara" territory, once embracing the region higher up but afterwards confined to the coast, the Pedees, if succeeding to it, would naturally have called the river after their own name.

The earliest mention in the provincial records of any of the tribes inhabiting the Valley of the Pedee, is found in the proceedings of the Council or Upper House of Assembly, December 15th, 1732.[3] It is in these words:

Mr. Sanders and Mr. Watles came from the Lower House with the following message. We herewith send your excellency a letter of great moment to this Government, relating to the murder of a Pedee Indian by one Kemp. We desire your excellency to take the proper measures to prevent the ill consequences of it by causing the offender to be apprehended and brought to justice, or otherwise as your excellency shall see fit.

Upon reading the message from the Lower House of Assembly, and likewise the letter therein mentioned, complaining that one Kemp, or Camp, an overseer at Black River, or Georgetown, has barbarously murdered one of the Pedee Indians,

Ordered, That James Neale, Esq., provost marshal, do immediately attach the said Kemp, or Camp, and bring him before his excellency the governor, in Charlestown, to be dealt with according to law, and that all constables and other officers and subjects of His Majesty be aiding and assisting to the said provost marshal in the execution of this order.

[1] Oldmixon's History, in Carroll's Collections, Vol. II, p. 446.
[2] Hawks's History of North Carolina, Vol. II, p. 82.
[3] Council Journal, No. 5, p. 228, secretary of state's office, Columbia.

This proceeding of the House was based upon the following facts:

Appeared before this board, Thomas Burton and Wm. Kemp, and upon the affidavit of Thomas Burton, and the information of Wm. Kemp concerning the fact of an Indian fellow being killed, name Corn-White Johnny, his excellency issued the following order: "On the 17th January, 1733, in council, upon hearing this day the information of William Kemp, relating to the death of Corn-White Johnny, and the affidavit of Thomas Burton, it is ordered that King Harry, Captain Billy, George and Dancing Johnny, and some of the relations of the deceased, be and appear before me the second Wednesday in February next ensuing, to give an account of what they knew of the death of the said Indian, and that Wm. Kemp do attend at the same time; likewise that Mr. John Thompson, jun., is desired to acquaint the said Indians of this order.

This record is of interest now as evincing the jealous care exercised by the Provincial Government for the protection of those scattered and defenseless remnants of the Indian tribes whose domain was fast passing away from them and who continued faithful to the whites to the close of their history.

Of the result of the proceedings referred to no further account appears.

We have next a brief but interesting notice[1] of a visit made to Charlestown by a few of the leading men of the Cheraws and Catawbas in July, 1739.

On Saturday last,

said the Gazette of that day,

arrived in this town eleven of the chief men among the Catawbas and Cheraw Indians, who came to pay a visit to his honour the lieutenant governor and inform him that some time since a party of their people went out to war, and not meeting with their enemies had cut off a white family on the borders of Virginia; that upon complaint made to them of the said barbarous murder they examined into the facts and had put five of the ringleaders to death; and that they were determined to prosecute in the same rigorous manner any of their people who for the future should be found guilty of the like cruel practices. They met with a kind reception from his honour the lieutenant governor, and having received the usual presents from the country they set out this day on their return home, well pleased and content.

The signal punishment visited by these tribes upon the murderers of the whites indicated their fidelity to the Provincial Government, which continued to be as true as it was lasting.

Of the Pedees mention is made a few years later.

In council March 2, 1743, his excellency the governor signed the following order to Mr. Commissary Dart, viz, to provide for the Pedee Indians now in town the following particulars, viz:

Presents.—To the three head men, each of them, a gun and knife; to the others, each of them, a knife. For the three women, each of them, a looking-glass, twenty bullets, half a pound vermilion to be divided among them.

Also, an order on Col. Brewton for ten pounds of gunpowder for use of said Indians.[2]

The Pedees are mentioned again with the Catawbas in the following year. "In council, 25th July, 1744, the governor admitted four Pedee Indians to an interview in the council chamber, who informed his excellency that seven Catawbas had been barbarously murdered by the Notchee Indians, who live among them," which horrible deed having been confirmed by Mr. Matthew Beard, who lives at Goose Creek, who had certain intelligence of the same, saying that the said Catawbas being drunk near Fuller Cowpen, near the four holes, seven

[1] South Carolina Gazette, June 26—July 7, 1739. For access to this invaluable historical collection—a complete file of the old Gazettes, commencing about 1730—the author is indebted to the courtesy of A. H. Mazyck, Esq., of the Charleston Library. Only a few of the earlier numbers of the Gazette are missing. At a later period a small portion was burned.
[2] Council Journal, No. 11, p. 138.

the following extracts are taken, and will be found chiefly interesting here, as containing some information respecting the Pedees:

October 17th.—Met a Catawba man and woman, and informed by them, that in the summer, the Cherrackees and Notchees had killed some Pedees and Waccamaws in the white people's settlements.

18th.—I got into the Catawbas. King Hasler was gone a hunting the day before; the next morning they sent for him, and he came in that night.

Before he got into the nation, I made it my care to inquire of the Pedees if they could not tell what people killed the Pedees at Goose Creek, where the boys were that was taken prisoners: answered, "They could not tell who they were, but understood it was the Notchees and Cherokees that did the mischief."

21st.—The king and head man met, and desired to know what I was come for. I told them that there was two Pedee women killed and scalped, and two boys carried away from out of the settlements, and that it was done by some of their nation; and one Notchee, which was called the Notchee Doctor, and his excellency, the governor, had sent me to demand the boys; and I then and there demanded these boys. I further acquainted them that his excellency, the governor, desired that they would not come into the settlements without they were sent for. The white people might mistake them, and do them a mischief, believing them to be enemy Indians. I further said, that it was his excellency, the governor's pleasure, that the Catawba people should not attempt to carry away any of the Indians that are now living in the settlements up to their nation on any pretence whatever without his permission first. Their answer was, that old men should always speak truth; and the most of them were grey-headed; and they, for their parts, did not hurt the Pedees, and did not know or believe the mischief was done by any belonging to that nation; and further said, that when the Northward Indians were in their nation, they bound the same three women and two men; and the Catawbas released the three women, but the Northward Indians carried the men away.

22nd.—I set out from the Catawba nation homeward, and at night came to a camp of Pedees. I acquainted them with my errand to the nation, and desired them to let me know, if they could, who it was that killed and scalped the Pedee women, and carried the boys away. Lewis Jones, their chief, answered, that soon after the Pedees were killed, he went down from the nation to the settlements to inquire what harm was done by Goose Creek. He met a Pedee Indian, named Prince, who lived in the settlements; and Prince told him, that a day or two before the mischief was done, there was five Cherokees and one Notchee seen to go by Monck's Corner, and Lewis John said, he did believe they scalped the women, and carried the boys away.[1]

The Cheraws, following the example of the Catawbas, were true to the English, as they continued to be to the colonists throughout the Revolution and afterwards.

They cheerfully endured the hardships of distant journeys when called upon for aid. In the *South Carolina Gazette* of June 2, 1759, this account was given:

On Tuesday last, 45 Charraws, part of a nation of Indians incorporated with the Catawbas, arrived in town, headed by King Johnny, who brought to the governor the scalp of a French Indian, which he had taken near Loyal-Henning. He and several others that are with him here, were with Gen. Forbes during the whole expedition against Fort Du Quesne. There chief business seems to be, to see his excellency and receive presents.

In the latter part of this year the great scourge of the red man appeared amongst them and carried off many Indans in this part of the Province. In the Gazette of December 8–15, 1759, was this sad account of its ravages:

It is pretty certain that the smallpox has lately raged with great violence among the Catawba Indians, and that it has carried off near one-half of that nation, by throwing themselves into the river as soon as they found themselves ill. This distemper has since appeared among the inhabitants at the Charraws and Wateres, where many families are down, so that unless especial care is taken, it must soon spread through

[1] Indian Book, Vol. V, pp. 94, 95.

the whole country, the consequences of which are much to be dreaded. The smallpox went almost through the Province in the year 1738, when it made prodigious havoc, and has ever since been kept out of it by the salutary laws enacted for that purpose.

So destructive and rapidly exterminative had been this disease among the Indians from its first introduction that its appearance brought on a spirit of frenzy and desperation. Ignorant and grossly superstitious, they regarded it as a visible embodiment of the Spirit of Evil—the sentence of wrath from heaven let loose upon them, from which there was no escape. In this state of mind the disease found abundant food for keeping itself alive and completing the work of destruction. The white families at the "Charraws" and "Wateres," who appear to have suffered severely at this period, were doubtless unprepared for such a visitant, and having not the means of prevention or cure at command, yielded for a time, like their savage neighbors, to the fell destroyer. At a later period, about the time of the Revolution, some of the Catawba warriors having visited Charlestown, there contracted the disease again, and returning, communicated it to their nation, which, according to contemporaneous accounts, came well nigh being exterminated. It was after this, having been sorely thinned by disease, that they were advised by their friends to invite the Cheraws to move up and unite with them as one tribe. The Cheraws here spoken of by the writers of the day must have been a part of the tribe which had maintained its independence probably in the region lower down the Pedee or on the coast, where they led a proud but feeble existence. That some of them should have refused to submit to what must have seemed to be the yoke of a foreign invader is not surprising. But their doom was sealed. No longer able to maintain their isolated sway, or to resist the destructive agencies at work among them, a weak and declining remnant, like the Catawbas themselves, they gladly accepted the invitation to unite their future with that of their brethren who had gone before them.

And now was seen their last journey as the representatives of a nation of ancient renown.

Mournful as it was short, the march was soon ended; and henceforth these broken fragments were to constitute but one nation, under the name of Catawbas. For awhile, as at the first, the Cheraws retained their own language, though ordinarily using the Catawba.

They lived in harmony together, their early feuds forgotten, and the jealousies of other days obliterated by those common wants and saddened recollections which were henceforth to mark their declining history. Within the memory of persons now living a few of the Cheraws have visited the upper Pedee, to take a last look at the localities which their own traditions had identified as the homes of their fathers. About the year 1700 the Catawbas numbered 1,500 warriors. Only a half century later this proud band had dwindled away to 400. Their principal settlement about this latter period was on the Wateree, where their country was described as being "an old waste field, seven miles in extent, with several others of smaller dimensions; which shows," it was added, "that they were formerly a numerous people, to cultivate so much land, with their dull stone axes, before they had an opportunity of trading with the English, or allowed others to incorporate with them."[1]

[1] Adair.

In 1787 they were the only organized tribe, under a distinct name of its own, in South Carolina.

Their town, "Catawba," contained then about 450 inhabitants, of which not more than 150 were fighting men. In 1798 they are said to have been in the habit of holding an anniversary meeting of a sadly interesting character. It was intended to commemorate their former greatness by recounting the numbers and deeds of their ancestors, of which tradition had kept them informed.[1] Well might the Catawbas have been proud of their history. And well may South Carolina cherish the memory of a people who maintained their friendship and their active devotion inviolate throughout the long and trying period of conflicts waged successively with savage foes, and those of the same language and blood who came to reduce their American brethren to a state of worse than colonial vassalage!

Of the liberal provision made for the Catawbas in later times by the Legislature of South Carolina it is unnecessary to speak.

A portion of them had removed at an earlier period to Buncombe County, N. C., west of the Blue Ridge, and thither the miserable remnant, with few exceptions, followed a few years since. Reduced in numbers by disease and intermarriage, by the contracted territory to which they had been confined while yet unfitted, by the slow process through which the Indian must always pass, for agricultural pursuits; and withal, by those habits of idleness and dissipation which the custom of leasing their lands to the whites, and the consequent want of employment had subjected them; drunken and wandering from place to place, their condition became as abject as it had once been elevated among the red men of Carolina. "In this rapidly declining tribe," says an eminent authority of recent times, "we behold the remnant of the defeated, long-lost, and celebrated tribe of the Eries." It is hoped that their history, in the materials of which the public records of the State abound, will one day, as it deserves, be fully written.

Of the languages of the Indian tribes once inhabiting the valley of the Pedee scarce a vestige is left, except the names of the rivers and a few localities. The same remark may be made of all the tribes which were found at the first approaches of the white man on the coast of Carolina, from Cape Hatteras to the Savannah.[2]

Of the meaning of "Cheraw," reasoning from the affinities of the Indian tongues, a probable conjecture may be hazarded. In Cherah, or Chera, as it seems at certain periods of Indian history to have been called, is found a close affinity with Chera-kee. In the language of the Chera-kees, Cherah, or Chera, means fire. If, then, as seems highly probable, Cherah is identical with Serah, or Saraw, or Sara—as Lederer called it—now Cheraw, it may be conjectured to have meant the fire town. The site of the present town of Cheraw, which has retained the name, with slight changes, from an early period, may have been the scene of an extensive conflagration when occupied by the Indians; or, being situated on a high bluff, and visible as a point of observation and alarm for miles across, it may have been a signal station, as such prominent localities often were, to gain the knowledge of an enemy's approach, or other danger, and hence may have been called Cherah; in Cherokee, the fire town: or, as may seem

[1] Barton's New View, p. 52. [2] Transactions of American Ethnological Society, Vol. II, p. 118

yet more probable, in another view; if, about the period of their first distinct existence as a tribe, being possibly an offshoot from the Cherakees, at the era of some internal struggle and partial dismemberment of that once powerful and widely extended nation, the Cherahs, or Cheraws, were noted as fire eaters, as some of the Indian tribes have been, the original of the name may be found in this circumstance—Cheraw meaning fire eaters. After all, however, it is one of those points, the original of language in the aboriginal races, which, without the light of contemporaneous history, must ever remain involved in more or less of darkness and uncertainty.

Of the meaning of "Pedee" nothing is known. It has even been made a question whether the name is of Indian origin; and the opinion has been advanced that it is not, on the ground that it appears to have been unknown prior to the English colonial settlements. Hence it is conjectured that it was of subsequent origin, having had its beginning, perhaps, in the initials of a white man's name, as of Patrick Daly, for example—P. D.—first carved upon a tree, then Indianized, and so changed into Pedee, as we now have it. This theory, however, is wholly untenable.

That the name is not mentioned by the earliest writers is readily accounted for by the fact that the Pedees, if ever a people of any note, had then become an insignificant tribe; whereas only the more powerful nations of Indians engaged attention at first, or were so much as known by name. The earliest mention of Pedee is found in the account of the Eleven Townships, one of which was to be laid out on that river. This was about the year 1731-32.[1] But then it was spoken of as having already been in familiar use. It was spelt, too, not as if it had come from two capital letters, the initials of a proper name.

Both the analogy and euphony of the Indian tongue indicate, beyond all doubt, that Pedee had the same original as Santee, Congaree, Wateree, Uchee, and Sewee, all of unquestionable Indian birth, and the names of neighboring and cognate tribes. That the name Pedee does not appear in the earliest published accounts of Carolina may be attributed to the fact that for a considerable time after the first settlement of the province, scarcely anything was known of that part of the State, because out of the line of the main route of travel, far in the interior, and at a later period only coming into notice.

Of the Indian remains on the Pedee which are still to be seen, though but little trace is left, there is nothing distinguishable from those in other parts of the State, of which full accounts have been given. In some instances these remains are so numerous as to indicate the existence of once populous settlements. These settlements, as usually the case with the aborigines, were made upon the banks of rivers and other large streams, on account of the fertility of the soil, for fishing purposes, and other facilities thereby afforded.

In most instances on the Pedee where these remains are yet to be seen are found large collections of fragments of potware of varied shapes, sizes, and devices. It is difficult even to conjecture why such quantities of these were deposited at points not far removed from each other. They could scarcely have been the result of large

[1] Carroll's Historical Collections, Vol. II, p. 124.

accumulations in those places where the potware was made, for they are generally found to be well-finished specimens of their kind, and evidently parts of vessels which were once in use. Nor does it appear to be a well-founded opinion, sometimes advanced, that upon the sudden breaking up of the Indian settlements, for whatever cause, these vessels of ornament or use were heaped together in one confused mass, and with such other chattels as could not be removed abandoned forever. Their appearance indicates that they were broken by violence; and what is more remarkable, of all the specimens taken up at random in any single locality, scarcely any two are found to be exactly alike in outward device and finish.[1]

The ornamental lines and figures on the exterior are in many cases well executed, and for the untutored savage exhibit a high degree of art. The questions, how they were broken, why collected in such strangely mingled masses, and why other remains, as the pipe, the arrowhead, the stone ax, etc., are not generally found among them, will remain unanswered; and like so much else we would fain know respecting these early occupants of the soil, continue perhaps among the secret things of their history.

A large vase or jar,[1] of 3 gallons capacity, was washed up a few years since by the waters of a freshet on the east bank of the Pedee, in Marlborough district, near Spark's Ferry. It is in a state of almost entire preservation, but not so highly finished as are many of the broken specimens which have been recovered. Like those to which Lawson alludes in his account of the Congerees, this jar has a hole in the bottom, not smoothly cut, but roughly and irregularly made, as if punched through by some blunt instrument after the vessel was finished. Lawson supposes that they were sometimes used for burial purposes and that the holes were made in the bottom to let off the morbid juices of the body going to decay. Some of the specimens of potware found are highly finished, and upon the whole appear to warrant the conclusion arrived at by the first and most thoughtful travelers among our Indian tribes, and since clearly demonstrated by the results of later explorations, that those whom the Europeans found on their first discovery and settlement of the country were not the ancient dwellers in this part of the New World.

The earthen pots,

says Lawson—

are often found under ground and at the foot of the banks, where the water has washed them away. They are for the most part broken in pieces; but we find them of a different sort, in comparison of those the Indians use at this day, who have had no others ever since the English discovered America. The bowels of the earth can not have altered them, since they are thicker, of another shape and composition, and nearly approach to the urns of the ancient Romans.[2]

We are told that they made earthen pots of very different sizes, so as to contain from 2 to 10 gallons; large pitchers to carry water, bowls, dishes, platters, basins, and a prodigious number of other vessels of such antiquated forms that it would be almost impossible to describe them.

Some of the specimens, in a fragmentary form, and others in a state of preservation, which were found on the Pedee, are of different shapes and curiously finished. Of these one is very small, not holding

[1] This vessel was presented to the Cheraw Lyceum by Col. J. D. Wilson, of Darlington.
[2] Lawson, pp. 169, 170.

more than a gill, and seems to have been used for paint or some other valuable liquid.

Another,[1] of which the lower portion only is left, has the exact shape, the outward finish, and as much the appearance of a pineapple as if it had been carefully fashioned after that as a model. The process of glazing was simple, and consisted in placing the vessels over a large fire of smoky pitch pine, which made them smooth and shining. "Their lands abounded in proper clay for that use, and even with porcelain, as has been proved by experiment." When first discovered on the coast, the Indians were found to cultivate a variety of grains and vegetables. The process of clearing their lands has been minutely described. Their stone axes, of which specimens have been found on the Pedee, resembled a wedge or smith's chisel and weighed from 1 to 2 or 3 pounds. They twisted two or three tough hickory slips about 2 feet long around the notched head of the ax and by means of this simple contrivance deadened the trees by cutting through the bark, after which they fell by decay or, having become thoroughly dry, were easily burned.

With these trees they kept up their annual holy fire. In the first clearing of their plantations they only barked the larger timber, cut down the saplings and underwood, and burned them in heaps. As the suckers put up, they chopped them off close by the stump, and so made fires to deaden the roots till in time they also decayed. The burning of the grass and underwood in the forests is said to have been an ancient custom of the Indians. This may account for the fact, which has been mentioned in connection with the first settlements by the whites in the interior, that in many places the woods were found open to such an extent that even small objects could be seen to a great distance. These burnings were practiced by the Indians, as we are told,

in order to allure the deer upon the new grass, as also to discover the impressions of their enemies' tracks in the new burnt ground, distinguishable to their women and children, in case the raven should be sick or out of the way (thus they call the lookout, whose business it is to recognize the avenues of their towns), who, as well as any other Indian (as they all apply themselves to hunting), are by practice so keen and precise that they can distinguish and follow a track, be it of a white man, negro, Indian, or be it of a bear, deer, or wolf, horse or cow, even on hard bottom, not admitting of impression so as on soft ground, although covered all over with leaves so that the ground itself is not visible, and even bare of any grass or brushes, which by their irregular bend may indicate a creature—human or animal—having trod upon or brushed by it.[2]

Having cleared their lands in the primitive manner before described, the Indians used, in planting and tilling, their own made instruments. Afterwards a common hoe was the only implement employed in the cultivation of the soil. They prepared their corn for use by beating it till the husks came off, then boiling it in large earthen pots. For pounding the corn, mortars were made by cautiously burning a large log to a proper level and length, then placing a fire on the top and wet clay around it, in order to give the interior a proper shape. When the fire was extinguished, or occasion required, they chopped the inside with their stone instruments, patiently continuing the process until they finished the vessel for the intended purpose.

[1] This was also presented to the Cheraw Lyceum by Col. Wilson.
[2] De Brahm's Philosophico-Historico-Hydrocosmography of South Carolina, Georgia, and East Florida, 1751. Edited and republished by Plowden C. J. Weston, 1856, p. 168.

In certain localities on the Pedee, which appear to have been the centers[1] of their once extensive settlements, many tumuli were once to be seen.

They were similar to some of those described by Bartram[2] in East Florida, near the river St. Juan, "where," he observes—

I found the surface of the ground very uneven by means of little mounts and ridges. I had taken up my lodging on the border of an ancient burying-ground; sepulchers or tumuli of the Yamasees, who were here slain by the Creaks in their last decisive battle. These graves occupied the whole grove, consisting of two or three acres of ground.

During a visit of the author in 1859 to the upper part of Marlborough district, near the North Carolina line, a mound was pointed out to him which is related by tradition to have been the scene of an Indian battle. On a subsequent occasion it was visited for the purpose of exploration. It appears to have been raised originally but a few feet above the surface of the adjoining level, and had been almost entirely washed down. Its dimensions were about ten by fifteen feet. Many years before, a partial excavation had been made, and in digging down on this occasion for a short distance small pieces of bone were found mixed with the earth throughout, so that no opinion could be formed as to the depth of the first layer of bodies. Four feet below the surface a point was reached where the soil had not been disturbed, and a little below this were found from four to six skeletons, lying regularly, in a horizontal position, with the feet to the east, having evidently been placed in two layers. The larger bones were in a comparative state of preservation, and one of the jawbones with the teeth entire, apparently of a person about middle age. With the bones were found a stone hatchet, a beautiful arrowhead, and a pipe, and strange to relate the smell of tobacco about the pipe was perceptible for several hours after the exhumation. The tradition relating to the battle and the burial was well founded, and carried them nearly a century back.

As to tobacco, the Indians affirmed, as some of the earliest travelers among them inform us, that the use of it was known to them before the Europeans discovered the continent. The skill of the Indians in medicine, in certain diseases, was remarkable, the process of cure being simple and expeditious. The knowledge of some of the most valuable plants now in use was derived from them.[3]

Some of the customs of the Indians of Carolina indicated a degree of kindness and social affection, as well as an appreciation of duty, of which they are not generally supposed to have been possessed. When, for example, one of their own nation had suffered any loss by fire, or otherwise, he was ordered to make a feast, to which all the tribe was invited. After they had partaken of the feast, one of their speakers, generally a grave old man, delivered a harangue, informing them of the particulars of the loss sustained, and of their duty under such circumstances. After which, every man, according to his quality, threw down some present upon the ground, of beads, skins, furs, or other valuables, which often amounted to treble the loss incurred.

So, if one wished to build a canoe, or make a cabin, they rendered him assistance, saying, "There were several works which one man

[1] The plantation of the late James McCall, Esq., in Darlington district, on the Pedee, is an instance of [illegible] many remains of the kind were once visible, though now for the least part levelled by the plow.

[2] Bartram's Travels through Georgia, East and West Florida, 1773-74.

could not effect, and that therefore they must help him; otherwise their society would fall, and they would be deprived of those urgent necessities which life requires." If a woman lost her husband, and had a large family of children to maintain, she was always assisted. The young men of the tribe were made to plant, reap, and do anything she was not capable of doing herself. At the same time they would not suffer anyone to be idle, but compelled all to employ themselves in some work or other.[1]

As to religion, they believed generally that the world was round, and that there were two spirits, the one good and the other bad. The good spirit they reckoned to be the author and maker of everything. It was He, they said, who gave them the fruits of the earth, and taught them to hunt, fish, and be wise enough to overpower the beasts of the wilderness and all other creatures, that they might be assistant and beneficial to man. They did not believe that the Good Spirit punished any man in this life, or that to come, but that he delighted in doing good, and in making his creatures wise and happy. The bad spirit (who lived, as they thought, separate from the Good Spirit) they made the author of sickness, disappointment, loss, hunger, travail, and all the misfortunes that human life is incident to. Some of our aborigines were found to have traditions of the great Deluge, and of this event they gave a curious description. Of some of their practices, and one in particular, Lawson gives a singular account. He says—

Several customs are found in some families, which others keep not; as, for example, the families of the Mach-a-pangas use the Jewish custom of circumcision, and the rest do not; neither did I ever know any other amongst the Indians that practiced any such thing; and perhaps if you ask them what is the reason they do so, they will make you no manner of answer; which is as much as to say, I will not tell you.[2]

They seem to have been unwilling, for the most part, to give any account of their customs, particularly those of a religious character.

And so, the same writer remarks, that he knew them, for days together, to be amongst their idols and dead kings, though he could never get admittance to their sacred places to see what they were doing. The fact of their practicing idolatry at all has been positively denied by other travelers, who profess to have informed themselves of all that relates to their habits and customs. It is likely that the different tribes, remote from each other, and possibly of different origin, differed much in their customs and traditional observances, and hence the conflicting accounts which have been given. Of one custom, remarkable as it is suggestive, which Lawson affirms to have prevailed among the Indians of Carolina, and of which no other writer is believed to give any account, it may gratify the curiosity of the reader to be informed. It is very certain that it must have nipped the risings of aboriginal Young Americanism in the bud, leaving to a far superior race to exhibit, in the management of their youth, much more indecision and weakness.

There is one most abominable custom—

Says Lawson—

which they call husquenanning their young men, which I have not made any mention of yet.

Most commonly once a year, or at farthest once in two years, these people take up so many of their young men as they think are able to undergo it and husquenaugh them, which is to make them obedient and respective to their superiors, and (as they

[1] Lawson, pp. 178-179.

[2] Lawson, pp. 216, 217.

say) is the same to them as it is to us to send our children to school to be taught good breeding and letters. This house of correction is a strong, large cabin, made on purpose for the reception of the young men and boys that have not passed this graduation already, and it is always at Christmas that they husquenaugh their youth, which is by bringing them into this house and keeping them dark all the time, where they more than half starve them. Besides, they give them pellitory bark and several intoxicating plants that make them go driving mad as ever were any people in the world. You may hear them make the most dismal cries and howlings that ever human creatures expressed, all which continues about five or six weeks; and the little meat they eat is the nastiest, loathsome stuff, and mixed with all manner of filth its possible to get. After the time is expired, they are brought out of the cabin, which never is in the town, but always a distance off, and guarded by a jaller or two, who watch by turns. And when they first come out they are poor as ever any creatures were; for you must know several die under this diabolical purgation. Moreover, they really either are or pretend to be drunk, and do not speak for several days; I think, 20 or 30, and look so ghastly and are so changed that its next to an impossibility to know them again, although you was never so well acquainted with them before. I would fain have gone into the madhouse and seen them in their time of purgatory, but the king would not suffer it, because he told me that they would do me or any other white man an injury that ventured in amongst them; so I desisted. They play this prank with girls as well as boys, and I believe it is a miserable life they endure, because I have known several of them run away at that time to avoid it. Now, the savages say, if it was not for this, they could not keep their youth in subjection: besides that it hardens them after to the fatigues of war, hunting, and all manner of hardship which their way of living exposes them to. Besides, they say, that it carries off those infirm, weak bodies that would have been only a burden and disgrace to their nation, and saves the victuals and clothing for better people that would have been expended on such useless creatures.[1]

Lawson is the only one of the early Indian travelers in South Carolina, except Lederer, who passed through those parts of the State inhabited by the ancient dwellers on the Pedee. A large part of his book, however, is taken up with the natural history of North Carolina. He commenced a journey from Charleston, December 28, 1700, passed up the Santee and Wateree Rivers, and thence probably across to the Yadkin, and through North Carolina into Virginia. Among the Catawbas he must have met with the Cheraws and Pedees, if not in the parts higher up on our own river, though he does not mention them by name. In speaking, therefore, of the Carolina Indians generally, his remarks will apply to these, as well as others more particularly mentioned.

A few years after he was put to death in a most barbarous manner by the Indians in eastern North Carolina, to which State he had rendered most important service as surveyor general, as well as by his interesting account of the natural history of that region.

The author at one time cherished the hope of procuring some valuable traditional matter as to the Cheraws through William H. Thomas, Esq., of North Carolina, of whom mention has already been made. It was thought not unlikely that during his long and familiar intercourse with the Catawbas, Mr. Thomas might have gathered from their traditions something of the history of the Cheraws before the union of the tribes; but the hope was disappointed. The tradition of the Catawbas, already related, seem to be all they have preserved. Every other source of information now accessible has been exhausted. And with the account here given, meager and unsatisfactory as it is, we must be content, leaving these early occupants of the soil, proud and valiant and numerous as they once were, in that darkness and oblivion to which the red man, as he has receded westward before the advancing tide of civilization, has ever been consigned.

EXHIBIT J.

HISTORY OF THE CATAWBAS.

[From Hand Book of American Indians.]

CATAWBA (probably from Choctaw *katápa*, 'divided,' 'separated,' 'a division'—Gatschet). The most important of the eastern Siouan tribes. It is said that Lynche Creek, S. C., east of the Catawba territory, was anciently known as Kadapau; and from the fact that Lawson applies this name to a small band met by him southeast of the main body, which he calls Esaw, it is possible that it was originally given to this people by some tribe living in east South Carolina, from whom the first colonists obtained it. The Cherokee, having no *b* in their language, changed the name to Atakwa, plural Anitakwa. The Shawnee and other tribes of the Ohio valley made the word Cuttawa. From the earliest period the Catawba have also been known as Esaw, or Issa (Catawba *isaw'*, 'river'), from their residence on the principal stream of the region, Iswa being their only name for the Catawba and Watereers. They were frequently included by the Iroquois under the general term Totiri, or Toderichroone, another form of which is Tutelo, applied to all the southern Siouan tribes collectively. They were classed by Gallatin (1836) as a distinct stock, and were so regarded until Gatschet visited them in 1881 and obtained a large vocabulary showing numerous Siouan correspondences. Further investigations by Hale, Gatschet, Mooney, and Dorsey proved that several other tribes of the same region were also of Siouan stock, while the linguistic forms and traditional evidence all point to this eastern region as the original home of the Siouan tribes. The alleged tradition which brings the Catawba from the north, as refugees from the French and their Indian allies about the year 1660, does not agree in any of its main points with the known facts of history, and, if genuine at all, refers rather to some local incident than to a tribal movement. It is well known that the Catawba were in a chronic state of warfare with the northern tribes, whose raiding parties they sometimes followed, even across the Ohio.

The first notice of the Catawba seems to be that of Vandera in 1579, who calls them Issa in his narrative of Pardo's expedition. Nearly a century later, in 1670, they are mentioned as Ushery by Lederer, who claims to have visited them, but this is doubtful.

Lawson, who passed through their territory in 1701, speaks of them as a "powerful nation" and states that their villages were very thick. He calls the two divisions, which were living a short distance apart, by different names, one the Kadapau and the other the Esaw, unaware of the fact that the two were synonyms. From all accounts they were formerly the most populous and most important tribe in the Carolinas, excepting the Cherokee. Virginia traders were already among them at the time of Lawson's visit. Adair, 75 years later, says that one of the ancient cleared fields of the tribes extended 7

miles, besides which they had several smaller village sites. In 1728 they still had 6 villages, all on Catawba River, within a stretch of 20 miles, the most northern being named Nauvasa. Their principal village was formerly on the west side of the river, in what is now York County, S. C., opposite the mouth of Sugar Creek. The known history of the tribe till about 1760 is chiefly a record of petty warfare between themselves and the Iroquois and other northern tribes, throughout which the colonial government tried to induce the Indians to stop killing one another and go to killing the French. With the single exception of their alliance with the hostile Yamasi, in 1715, they were uniformly friendly toward the English, and afterwards kept peace with the United States, but were constantly at war with the Iroquois, Shawnee, Delawares, and other tribes of the Ohio Valley, as well as with the Cherokee. The Iroquois and the Lake tribes made long journeys into South Carolina, and the Catawba retaliated by sending small scalping parties into Ohio and Pennsylvania. Their losses from ceaseless attacks of their enemies reduced their numbers steadily, while disease and debauchery introduced by the whites, especially several epidemics of smallpox, accelerated their destruction, so that before the close of the 18th century the great nation was reduced to a pitiful remnant. They sent a large force to help the colonists in the Tuscarora war of 1711–1713, and also sided in expeditions against the French and their Indian allies at Fort Du Quesne and elsewhere during the French and Indian war. Later it was proposed to use them and the Cherokee against the Lake tribes under Pontiac in 1763. They assisted the Americans also during the Revolution in the defense of South Carolina against the British, as well as in Williamson's expedition against the Cherokee. In 1738 smallpox raged in South Carolina and worked great destruction, not only among the whites, but also among the Catawba and smaller tribes. In 1759 it appeared again, and this time destroyed nearly half the tribe. At a conference at Albany, attended by delegates from the Six Nations and the Catawba, under the auspices of the colonial governments, a treaty of peace was made between these two tribes. This peace was probably final as regards the Iroquois, but the western tribes continued their warfare against the Catawba, who were now so reduced that they could make little effectual resistance. In 1762 a small party of Shawnee killed the noted chief of the tribe, King Haiglar, near his own village. From this time the Catawba ceased to be of importance except in conjunction with the whites. In 1763 they had confirmed to them a reservation, assigned a few years before, of 15 miles square, on both sides of Catawba River, within the present York and Lancaster Counties, S. C. On the approach of the British troops in 1780 the Catawba withdrew temporarily into Virginia, but returned after the battle of Guilford Court House, and established themselves in 2 villages on the reservations known respectively as Newton, the principal village, and Turkey Head, on opposite sides of Catawba River. In 1826 nearly the whole of their reservation was leased to whites for a few thousand dollars, on which the few survivors chiefly depended. About 1841 they sold to the State all but a single square mile, on which they now reside. About the same time a number of the Catawba, dissatisfied with their condition among the whites, removed to the eastern Cherokee in western North Carolina, but finding their position among

their old enemies equally unpleasant, all but one or two soon went back again. An old woman, the last survivor of this emigration, died among the Cherokee in 1889. A few other Cherokee are now intermarried with that tribe. At a later period some Catawba removed to the Choctaw Nation in Indian Territory and settled near Scullyville, but are said to be now extinct. About 1884 several became converts of Mormon missionaries in South Carolina and went with them to Salt Lake City, Utah.

The Catawba were sedentary agriculturists, and seem to have differed but little in general customs from their neighbors. Their men were respected, brave, and honest, but lacking in energy. They were good hunters, while their women were noted makers of pottery and baskets, arts which they still preserve. They seem to have practiced the custom of head flattening to a limited extent, as did several of the neighboring tribes. By reason of their dominant position they gradually absorbed the broken tribes of South Carolina, to the number, according to Adair, of perhaps 20.

In the early settlement of South Carolina, about 1682, they were estimated at 1,500 warriors, or about 4,600 souls; in 1728 at 400 warriors, or about 1,400 persons. In 1738 they suffered from smallpox; and in 1743, after incorporating several small tribes, numbered less than 400 warriors. In 1759 they again suffered from smallpox, and in 1761 had some 300 warriors, or about 1,000 people. The number was reduced in 1775 to 400 souls; in 1780 it was 490; and in 1784 only 250 were reported. The number given in 1822 is 450, and Mills gives the population in 1826 as only 110. In 1881 Gatschet found 85 on the reservation, which, including 35 employed on neighboring farms, made a total of 120. The present number is given as 60, but as this apparently refers only to those attached to the reservation, the total may be about 100.

See Lawson, History of Carolina, 1714 and 1860; Gatschet, Creek Migration Legend, I–II, 1884–88; Mooney (1) Siouan Tribes of the East, Bull. 22, B. A. E., 1894, (2) in 19th Rep. B. A. E., 1900; H. Lewis Scaife, History and Condition of the Catawba Indians, 1896. (J. M.)

EXHIBIT K.

HISTORY OF THE CHERAWS.

[From Handbook of American Indians.]

CHERAW.—An important tribe, very probably of Siouan stock, formerly ranging in central Carolina, east of the Blue Ridge, from about the present Danville, Va., southward to the neighborhood of Cheraw, S. C., which takes its name from them. In numbers they may have stood next to the Tuscarora among the North Carolina tribes, but are less prominent in history by reason of their almost complete destruction before the white settlements had reached their territory. They are mentioned first in the De Soto narrative for 1540, under the name Xuala, a corruption of Suali, the name by which they are traditionally known to the Cherokee, who remember them as having anciently lived beyond the Blue Ridge from Asheville. In the earlier Carolina and Virginia records they are commonly known as Saraw, and at a later period as Cheraw. We first hear of "Xuala province" in 1540, apparently in the mountain country southward from Asheville. In 1672, Lederer, from Indian information, located them in the same general region, or possibly somewhat farther northeast, "where the mountains bend to the west," and says that this portion of the main ridge was called "Sualy Mountain" from the tribe. This agrees with Cherokee tradition. Some years later, but previous to 1700, they settled on Dan River near the south line of Virginia, where the marks of their fields were found extending for several miles along the river by Byrd, in 1728, when running the dividing line between the two colonies. There seem to have been two villages, as on a map of 1760 we find this place designated as "Lower Saura Town," while about 30 miles above, on the south side of the Dan and between it and Town Fork, is another place marked "Upper Saura Town." They are also alluded to by J. F. D. Smyth (Tour in United States, 1784), who says the upper town was insignificant. About the year 1710, being harassed by the Iroquois, they abandoned their home on the Dan and moving southeast joined the Keyauwee. The colonists of North Carolina being dissatisfied at the proximity of these and other tribes, Gov. Eden declared war against the Cheraw, and applied to Virginia for assistance. This Gov. Spotswood refused, as he believed the people of Carolina were the aggressors; nevertheless the war was carried on against them and their allies by the Carolinas until the defeat and expulsion of the Yamasi in 1716. During this period complaint was made against the Cheraw, who were declared to be responsible for most of the mischief done north of Santee River, and of endeavoring to draw into their alliance the smaller coast tribes. It was asserted by the Carolinians that arms were supplied them from Virginia. At the close of the Yamasi war the Cheraw were dwelling on the upper Pedee near the line between the Carolinas, where their name is perpetuated in the town of Cheraw, S. C. Their number in 1715, according to Rivers, was 510, but this estimate probably included the

Keyauwee. Being still subject to attack by the Iroquois, they finally—between 1726 and 1739—became incorporated with the Catawba, with whom at an earlier date they had been at enmity. They are mentioned as with the Catawba but speaking their own distinct dialect as late as 1743 (Adair). In 1759 a party of 45 "Charraws," some of whom were under their chief, "King Johnny," joined the English in the expedition against Fort Du Quesne. The last notice of them is in 1768, when their remnant, reduced by war and disease to 50 or 60, were still living with the Catawba. (J. M.)

EXHIBIT KK.

HISTORY OF THE CHEROKEES.

[From Handbook of American Indians.]

CHEROKEE.—A powerful detached tribe of the Iroquoian family, formerly holding the whole mountain region of the southern Alleghenies, in southwestern Virginia, western North Carolina and South Carolina, northern Georgia, eastern Tennessee, and northeastern Alabama, and claiming even to the Ohio River. The tribal name is a corruption of Tsálăgi or Tsárăgi, the name by which they commonly called themselves, and which may be derived from the Choctaw *chiluk-ki*, "cave people," in allusion to the numerous caves in their mountain country. They sometimes also call themselves *Ani'-Yûñ'wiyâ'*, "real people," or *Ani'-Kitu'hwagi*, "people of Kituhwa," one of their most important ancient settlements. Their northern kinsmen, the Iroquois, called them *Oyata'ge'ronoñ'*, "inhabitants of the cave country" (Hewitt), and the Delawares and connected tribes called them *Kittuwa*, from the settlement already noted. They seem to be identical with the Rickohockans, who invaded central Virginia in 1658, and with the ancient Talligewi, of Delaware tradition, who were represented to have been driven southward from the upper Ohio River region by the combined forces of the Iroquois and Delawares.

The language has three principal dialects: (1) *Elatí*, or Lower, spoken on the heads of Savannah River in South Carolina and Georgia; (2) Middle, spoken chiefly on the waters of Tuckasegee River in western North Carolina, and now the prevailing dialect on the East Cherokee reservation; (3) *Átăli*, Mountain or Upper, spoken throughout most of upper Georgia, eastern Tennessee, and extreme western North Carolina. The lower dialect was the only one which had the *r* sound, and is now extinct. The upper dialect is that which has been exclusively used in the native literature of the tribe.

Traditional, linguistic, and archæologic evidence shows that the Cherokee originated in the North, but they were found in possession of the southern Allegheny region when first encountered by De Soto in 1540. Their relations with the Carolina colonies began 150 years later. In 1736 the Jesuit (?) Priber started the first mission among them, and attempted to organize their government on a civilized basis. In 1759, under the leadership of A'ganstá'ta (Oconostota), they began war with the English of Carolina. In the Revolution they took sides against the Americans, and continued the struggle almost without interval until 1794. During this period parties of the Cherokee pushed down Tennessee River and formed new settlements at Chickamauga and other points about the Tennessee-Alabama line. Shortly after 1800 missionary and educational work was established among them, and in 1820 they adopted a regular form of government modeled on that of the United States. In the meantime large numbers of the more conservative Cherokee, wearied by the encroachments of the whites, had crossed the Mississippi and made

new homes in the wilderness in what is now Arkansas. A year or two later Sequoya (q. v.), a mixed blood, invented the alphabet, which at once raised them to the rank of a literary people.

At the height of their prosperity gold was discovered near the present Dahlonega, Ga., within the limits of the Cherokee Nation, and at once a powerful agitation was begun for the removal of the Indians. After years of hopeless struggle under the leadership of their great chief, John Ross, they were compelled to submit to the inevitable, and by the treaty of New Echota, December 29, 1835, the Cherokee sold their entire remaining territory and agreed to remove beyond the Mississippi to a country there to be set apart for them—the present (1905) Cherokee Nation in Indian Territory. The removal was accomplished in the winter of 1838–39, after considerable hardship and the loss of nearly one-fourth of their number, the unwilling Indians being driven out by military force and making the long journey on foot. On reaching their destination they reorganized their national government, with their capital at Tahlequah, admitting to equal privileges the earlier emigrants, known as "old settlers." A part of the Arkansas Cherokee had previously gone down into Texas, where they had obtained a grant of land in the eastern part of the State from the Mexican Government. The later Texan revolutionists refused to recognize their rights, and in spite of the efforts of Gen. Sam Houston, who defended the Indian claim, a conflict was precipitated, resulting, in 1839, in the killing of the Cherokee chief, Bowl (q. v.), with a large number of his men, by the Texan troops and the expulsion of the Cherokee from Texas.

When the main body of the tribe was removed to the West several hundred fugitives escaped to the mountains, where they lived as refugees for a time, until, in 1842, through the efforts of William H. Thomas, an influential trader, they received permission to remain on lands set apart for their use in western North Carolina. They constitute the present Eastern Band of Cherokee, residing chiefly on the Qualla Reservation, in Swain and Jackson Counties, with several outlying settlements.

The Cherokee in the Cherokee Nation were for years divided into two hostile factions, those who had favored and those who had opposed the treaty of removal. Hardly had these differences been adjusted when the Civil War burst upon them. Being slave owners and surrounded by southern influences, a large part of each of the Five Civilized Tribes of the Territory enlisted in the service of the Confederacy, while others adhered to the National Government. The territory of the Cherokee was overrun in turn by both armies, and the close of the war found them prostrated. By treaty in 1866 they were readmitted to the protection of the United States, but obliged to liberate their negro slaves and admit them to equal citizenship. In 1867 and 1870 the Delawares and Shawnee, respectively, numbering together about 1,750, were admitted from Kansas and incorporated with the nation. In 1889 the Cherokee commission (see Commission) was created for the purpose of abolishing the tribal governments and opening the Territories to white settlement, with the result that after 15 years of negotiation an agreement was made by which the government of the Cherokee Nation came to a final end March 3, 1906; the Indian lands were divided, and the Cherokee Indians, native and adopted, became citizens of the United States.

The Cherokee have seven clans, viz: Ani'-wa'"ya (Wolf), Ani'-Ka̧wI' (Deer), Ani'-Tsi'skwa (Bird), Ani'-wâ'dI (Paint), Ani'-Sahâ'ni, Ani'-Ga'tâgéwI, Ani'-Gilâ'hI. The names of the last three can not be translated with certainty. There is evidence that there were anciently 14, which by extinction or absorption have been reduced to their present number. The Wolf clan is the largest and most important. The "seven clans" are frequently mentioned in the ritual prayers and even in the printed laws of the tribe. They seem to have had a connection with the "seven mother towns" of the Cherokee, described by Cuming in 1730 as having each a chief, whose office was hereditary in the female line.

The Cherokee are probably about as numerous now as at any period in their history. With the exception of an estimate in 1730, which placed them at about 20,000, most of those up to a recent period gave them 12,000 or 14,000, and in 1758 they were computed at only 7,500. The majority of the earlier estimates are probably too low, as the Cherokee occupied so extensive a territory that only a part of them came in contact with the whites. In 1708 Gov. Johnson estimated them at 60 villages and "at least 500 men" (Rivers, S. C., 238, 1856). In 1715 they were officially reported to number 11,210 (Upper, 2,760; Middle, 6,350; Lower, 2,100) including 4,000 warriors, and living in 60 villages (Upper, 19; Middle, 30; Lower, 11). In 1720 they were estimated to have been reduced to about 10,000, and again in the same year reported at about 11,000, including about 3,800 warriors (Gov. Johnson's Rep. in Rivers, op. cit., 93, 94, 103, 1874). In 1729 they were estimated at 20,000, with at least 6,000 warriors and 64 towns and villages (Stevens, Hist. Ga., I, 48, 1847). They are said to have lost 1,000 warriors in 1739 from smallpox and rum, and they suffered a steady decrease during their wars with the whites, extending from 1760 until after the close of the Revolution. Those in their original homes had again increased to 16,542 at the time of their forced removal to the West in 1838, but lost nearly one-fourth on the journey, 311 perishing in a steamboat accident on the Mississippi. Those already in the West before the removal were estimated at about 6,000. The Civil War in 1861–1865 again checked their progress, but they recovered from its effects in a remarkably short time, and in 1885 numbered about 19,000, of whom about 17,000 were in Indian Territory, together with about 6,000 adopted whites, negroes, Delawares, and Shawnee, while the remaining 2,000 were still in their ancient homes in the East. Of this eastern band, 1,376 were on Qualla Reservation, in Swain and Jackson Counties, N. C.; about 300 are on Cheowah River, in Graham County, N. C., while the remainder, all of mixed blood, are scattered over eastern Tennessee, northern Georgia, and Alabama. The eastern band lost about 300 by smallpox at the close of the Civil War. In 1902 there were officially reported 28,016 persons of Cherokee blood, including all degrees of admixture, in the Cherokee Nation in the Territory, but this includes several thousand individuals formerly repudiated by the tribal courts. There were also living in the nation about 3,000 adopted negro freedmen, more than 2,000 adopted whites, and about 1,700 adopted Delaware, Shawnee, and other Indians. The tribe has a larger proportion of white admixture than any other of the Five Civilized Tribes. See Mooney, Myths of Cherokee Indians. (Hand Book of American Indians, Bulletin 30, Bureau American Ethnology.)

EXHIBIT L.

LEGISLATION RELATIVE TO INDIANS OF ROBESON COUNTY.

Exhibit L1.

[Amendments (to the constitution of North Carolina) proposed by a convention of delegates of the people of North Carolina, on the 11th of July, 1835, and ratified by the people on the second Monday of November, in the same year.]

SECTION 111.

* * * * * * *

CLAUSE 3. No free negro, free mulatto, or free person of mixed blood, descended from negro ancestors to the fourth generation, inclusive (though one ancestor of each generation may have been a white person), shall vote for members of the senate or house of commons.

Exhibit L2.

[Revised code of North Carolina, enacted by the general assembly at the session of 1854.]

CRIMES AND PUNISHMENTS—CHAPTER 34.

SEC. 80. If any clerk of the court of pleas and quarter-sessions shall knowingly issue any license for marriage between any free person of color and a white person; or if any clergyman, minister of the gospel, or justice of the peace shall knowingly marry any such free person of color to a white person, the person so offending shall be guilty of a misdemeanor.

MARRIAGE—CHAPTER 68.

SEC. 7. All marriages since the eighth day of January, eighteen hundred and thirty-nine, and all marriages in future between a white person and a free negro, or free person of color, to the third generation, shall be void.

Exhibit L3.

[Constitution of North Carolina, amendment of 1857—Proposed by the general assembly in 1854, December 11, 1856, and January 8, 1857, and ratified by the people the first Thursday in August, 1857.]

Every free white man of the age of twenty-one years, being a native or naturalized citizen of the United States, and who has been an inhabitant of the State for twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the senate for the district in which he resides.

from the county board of education the number of children in said county between the ages of six and twenty-one, belonging to said Indian race, and shall set apart and keep separate their pro rata share of said school funds, which shall be paid out upon the same rules in every respect as are provided in general school law: *Provided*, That where any children, descendants of Indians as aforesaid, shall reside in any district in which there are no schools, as provided in this chapter, the same shall have the right to attend any of the public schools in said county for their race, and shall be allowed to draw their share of public school fund upon the certificate of the school committee in the district in which they reside, stating that they have thus removed and are entitled to attend public schools.

SEC. 5. The general school law shall be applicable in all respects to this chapter, where the same is not repugnant to or inconsistent with this act. This act shall only apply to Robeson County. All laws and clauses of law in conflict with this act are hereby repealed.

SEC. 6. That this act shall be in force from and after its ratification.

(In the General Assembly read three times and ratified this the 10th day of February, A. D. 1885.)

Exhibit L6.

[Laws of North Carolina, chapter 400.]

AN ACT To establish a normal school in the county of Robeson.

The General Assembly of North Carolina do enact:

SECTION 1. That W. L. Moore, James Oxendine, James Dial, Preston Locklear, and others who may be associated with them, and their successors, are hereby constituted a body politic and corporate, for educational purposes, in the county of Robeson, under the name and style of the trustees of the Croatan Normal School, and by that name may have perpetual succession, may sue and be sued, plead and be impleaded, contract and be contracted with, to have and to hold school property, including buildings, lands, and all appurtenances thereto, situated in the county of Robeson, at any place in said county to be selected by the trustees herein named, provided such place shall be located between Bear Swamp and Lumber River in said county; to acquire by purchase, donation, or otherwise, real and personal property for the purpose of establishing and maintaining a school of high grade for teachers of the Croatan race in North Carolina.

SEC. 2. That the trustees at their organization shall elect one of their own number president of the board of trustees, whose duties shall be such as develoves upon such officers in similar cases, or such as shall hereafter be defined by said trustees.

SEC. 3. That said trustees shall have full power to rent, lease, mortgage or sell any real or personal property for the purpose of maintaining said school, discharging indebtedness, or reinvesting the proceeds for a like purpose: *Provided*, That the liabilities of said trustees shall affect only the property owned by said trustees for educational purposes and shall not affect the private credit of said trustees.

SEC. 4. That the trustees whose names are mentioned in the first section of this act shall have power to select three additional trustees from the Croatan race in such manner as they may determine.

SEC. 5. That said trustees shall have full power and authority to employ a teacher or teachers in said normal school under such regulations as the said trustees may determine.

SEC. 6. That said board of trustees shall have full power to fill all vacancies by death, removal, or otherwise in said board: *Provided*, a majority vote of all the trustees shall be necessary to a choice.

SEC. 7. That the sum of five hundred dollars is hereby appropriated to the support of said school annually for two years, and no longer, commencing with the first day of January, one thousand eight hundred and eighty-eight, said sum to be paid out of the general educational fund: *Provided*, That said sum thus appropriated shall be expended for the payment of services rendered for teaching and for no other purpose; said sum to be paid in semiannual payments upon warrants drawn by State superintendent of public instruction upon receipt by said superintendent of report of trustees of said school showing the number of teachers employed, the amount paid to teacher, the number of students in attendance during the term of six months next preceding the first day of July, one thousand eight hundred and eighty-eight, first day of January, one thousand eight hundred and eighty-nine, first day of July, one thousand eight hundred and eighty-nine, and first day of January, one thousand eight hundred and ninety.

SEC. 8. That all property, real and personal, acquired by purchase, donation, or otherwise, as long as it is used for educational purposes, shall be exempt from taxation, whether on the part of the State or county.

SEC. 9. That no person shall sell any spirituous liquors within two miles of the location of said school, and any person violating this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than thirty dollars, or imprisoned not less than ten days nor more than thirty days, or both at the discretion of the court.

SEC. 10. *Provided*, That no person shall be admitted into said school as a student who has not attained the age of fifteen years; and that all those who shall enjoy the privileges of said school as students shall previously obligate (themselves) to teach the youth of the Croatan race for a stated period.

SEC. 11. That this act shall be in force from and after its ratification.

(In the General Assembly read three times, and ratified this 7th day of March, A. D. 1887.)

Exhibit L7.

[Laws of North Carolina, session of 1887, chapter 254.]

AN ACT To amend section one thousand eight hundred and ten of the code.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand eight hundred and ten of the Code of North Carolina be amended by adding thereto the words: "That all marriages between an Indian and a negro or between an

Exhibit L4.

[The constitution of the State of North Carolina of 1868, as amended.]

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ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years of age, and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

* * * * * * *

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid on or before the first day of May of the year in which he proposes to vote, his poll tax for the previous year, as prescribed by Article V, section 1, of the Constitution. But no male person who was, on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in his State by reason of his failure to possess the educational qualifications herein prescribed: *Provided*, He shall have registered in accordance with the terms of this section prior to December 1, 1908. The general assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless disqualified under section 2 of this article: *Provided*, Such person shall have paid his poll tax as above required.

Exhibit L5.

[Constitution of North Carolina, annotated by Connor and Cheshire.]

1. ALL MEN EQUAL.

1. Indians and free persons of color before 1868.

The Cherokee, Croatan, and other Indians living in North Carolina are citizens of the State and amenable to the laws.

State *v.* Wolf, 145 N. C., 440; State *v.* Tachanatah, 64 N. C., 614.

Before the constitution of 1868 and the thirteenth amendment to the Constitution of the United States *free persons of color* were citizens of North Carolina; and this was so even after the right to vote was taken from such persons.

State *v.* Manuel, 20 N. C., 144 (20), where Gaston, J., says: "Upon the Revolution no other change took place in the laws of North Carolina than was consequent upon the transition from a colony, dependent on a European King, to a free and sovereign State. Slaves remained slaves. British subjects in North Carolina became North Carolina free men. Foreigners until made members of the State continued aliens. Slaves manumitted here became free men and, therefore, if born within North Carolina, are citizens of North Carolina—and all free persons born within the State are born citizens of the State." (This case was cited with approval by Mr. Justice Curtis in his dissenting opinion in the Dred Scott case, 60 U. S. (19 Howard) 573.—Editors.)

(State *v.* Manuel, *supra*, was subsequent to the convention of 1835, which deprived free negroes of their right to vote. For an interesting debate upon the origin, basis, and history of their right to vote, see "Debates in convention, 1835," pp. 72, 351.—Editors.)

2. Civil and political rights.

The constitution (of North Carolina) was not intended to enforce social equality, but only civil and political equality.

State *v.* Hairston, 63 N. C., 452, holding (before the adoption of Art. XLV, sec. 8) that Rev. Code, ch. 68, sec. 7, declaring intermarriages between white persons *and persons of color* void, is not a discrimination in favor of one race against another, but applies equally to all races and is valid and still in force.

Exhibit L5½.

[Laws of North Carolina, 1885, chapter 51.]

AN ACT To provide for separate schools for Croatan Indians in Robeson County.

Whereas the Indians now living in Robeson County claim to be descendants of a friendly tribe who once resided in eastern North Carolina on the Roanoke River, known as the Croatan Indians; therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the said Indians and their descendants shall hereafter be designated and known as the Croatan Indians.

SEC. 2. That said Indians and their descendants shall have separate schools for their children, school committees of their own race and color, and shall be allowed to select teachers of their own choice, subject to the same rules and regulations as are applicable to all teachers in the general school law.

SEC. 3. It shall be the duty of the county board of education to see that this act is carried into effect, and shall for that purpose have the census of all the children of said Indians and their descendants between the ages of six and twenty-one taken, and proceed to establish such suitable school districts as shall be necessary for their convenience, and take all such other and further steps as may be necessary for the purpose of carrying this act into effect without delay.

SEC. 4. The treasurer and other proper authorities, whose duties it is to collect, keep, and apportion the school fund, shall procure

Indian and a person of negro descent to the third generation, inclusive, shall be utterly void: *Provided*, This act shall only apply to the Croatan Indians."

SEC. 2. This act shall be in force from and after its ratification.

(In the general assembly read three times, and ratified this 7th day of March, A. D. 1887.)

Exhibit L8.

[Laws of North Carolina, session of 1889, chapter 458.]

AN ACT To amend chapter fifty-seven, acts of one thousand eight hundred and eighty-five, in reference to the schools of Croatan Indians in Richmond County.

The General Assembly of North Carolina do enact:

SECTION 1. That the citizens of Richmond County who are Croatan Indians, or the descendants of such who are known as such, or who have a distinct race identity as such, shall be entitled to the same school privileges and benefits as are granted to other Croatan Indians in Robeson County under the provisions of said act of one thousand eight hundred and eighty-five, chapter fifty-one, and the act or acts subsequent to and amendatory of the act of one thousand eight hundred and eighty-five.

SEC. 2. That this act shall be in force from and after its ratification.

(Ratified the 11th day of March, A. D. 1889.)

Exhibit L9.

[Laws of North Carolina, session of 1889, chapter 60.]

AN ACT To amend the laws of 1885 and 1887 so as to provide additional educational facilities for the Croatan Indians, citizens of Robeson County, North Carolina.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Fifty-one, section two, of the Laws of One thousand eight hundred and eighty-five be amended by adding after the word "law" in the last line of said section the words, "and there shall be excluded from such separate schools for the said Croatan Indians all children of the negro race to the fourth generation."

SEC. 2. That section seven, Chapter Four hundred, of the Laws of One thousand eight hundred and eighty-seven be amended as follows: Strike out in lines two and three the words, "for two years and no longer;" strike out in line fifteen all after the words "eighty-eight," and insert "and every six months thereafter."

SEC. 3. That section ten of said Chapter Four hundred, Laws of One thousand eight hundred and eighty-seven, be amended by striking out in line three the word "fifteen" and inserting the word "ten" in lieu thereof.

SEC. 4. This act shall be in force from and after its ratification.

(Ratified the 2d day of February, A. D. 1889.)

Exhibit L10.

[Public laws of North Carolina, session of 1897, chapter 536.]

AN ACT In relation to the Croatan Normal School in Robeson County.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be placed to the credit of the Croatan Normal School of Robeson County out of the general educational fund in the hands of the State treasurer, the sum of two hundred and eighty-one 25.100 dollars, being the unexpended appropriation for the year 1895; and the treasurer is hereby authorized to pay Prof. P. B. Hiden, upon the approval of his claim by the board of trustees and the commissioners of Robeson County, out of the above $281 & 25/100, the sum of forty ($40) dollars for services heretofore rendered in 1896.

SEC. 2. This act shall be in force from and after its ratification.

(Ratified the 9th day of March, A. D. 1897.)

Exhibit L11.

[Public laws of North Carolina, session of 1911, chapter 168.]

AN ACT To empower the trustees of the Indian School of Robeson County to transfer title to property of said school by deed to State board of education, and to provide for the appointment of trustees for said school.

The General Assembly of North Carolina do enact:

SECTION 1. That in accordance with the recent action of the trustees, in meeting assembled, of the Croatan State normal school, known as the Indian Normal School of Robeson County, situated near Pembroke, North Carolina, said school being incorporated under Chapter Four hundred, Public Laws of One thousand eight hundred and eighty-seven, which action of the trustees of said school has been duly certified to by the president, C. R. Sampson, and the secretary, A. A. Locklear, the said trustees are hereby empowered to convey by deed to the State board of education the title to all property of said school, and the State board of education is hereby authorized to accept same.

SEC. 2. That the State board of education shall appoint seven members of the Indian race, formally known as Croatans, to be constituted the board of trustees of said school, as follows: Two members for the term of two years, two for the term of four years, and three for the term of six years; and, at the expiration of these terms, their successors shall be appointed by the State board of education for a term of six years.

SEC. 3. That the board of trustees of said Indian normal school Robeson County shall have the power to employ and discharge teachers, to prevent negroes from attending said school, and to exercise the usual functions of control and management of said school, their action being subject to the approval of the State board of education.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. This act shall be in force from and after its ratification.

(Ratified this the 8th day of March, A. D. 1911.)

Exhibit L12.

[Public Laws of North Carolina, Session of 1911, Chapter 215.]

AN ACT To change the name of the Indians in Robeson County and to provide for said Indians separate apartments in the State hospital.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Fifty-one of the Public Laws of North Carolina, session of eighteen hundred and eighty-five, be, and the same is hereby, amended by striking out the words "Croatan Indians" wherever the same occur in said chapter and inserting in lieu thereof the words "Indians of Robeson County."

SEC. 2. That in all laws enacted by the General Assembly of North Carolina relating to said Indians subsequent to the enactment of said Chapter Fifty-one of the Laws of Eighteen hundred and eighty-five, the words "Croatan Indians" be, and the same are hereby, stricken out and the words "Indians of Robeson County" inserted in lieu thereof.

SEC. 3. And that the said Indians residing in Robeson and adjoining counties which have heretofore been known as Croatan Indians, together with their descendants, shall hereafter be known and designated as "Indians of Robeson County," and by that name shall be entitled to all the rights and privileges conferred by any of the laws of North Carolina upon the Indians heretofore known as Croatan Indians.

SEC. 4. That the school situated near the town of Pembroke, in Robeson County, known as Croatan Indian Normal School, shall hereafter be known and designated as "The Indian Normal School of Robeson County," and in that name shall be entitled to all of the privileges and powers heretofore conferred by any law of the State of North Carolina or any laws hereafter enacted for the benefit of said school.

SEC. 5. That the board of directors for the State Hospital for the Insane at Raleigh are hereby authorized and directed to provide and set apart at said hospital, as soon after the passage of this act as practicable, suitable apartments and wards for the accommodation of any of said Indians of Robeson County who may be entitled under the laws relating to insane persons to be admitted to said hospital.

SEC. 6. That the sheriff, jailer, or other proper authorities of Robeson County shall provide in the common jail of Robeson County and in the Home for the Aged and Infirm of Robeson County separate cells, wards, or apartments for the said Indians of Robeson County, in all cases where it shall be necessary under the laws of this State to commit any of said Indians to said jail or County Home for the Aged and Infirm.

SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 8. That this act shall be in force from and after its ratification.

(Ratified this 8th day of March, A. D. 1911.)

Exhibit L13.

[Public Laws of North Carolina, Session of 1913, Chapter 123.]

AN ACT To restore to the Indians residing in Robeson and adjoining counties their rightful and ancient name.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Two hundred and fifteen of the Public Laws of North Carolina, session one thousand nine hundred and eleven, be, and the same is hereby, amended by striking out in the last line of said section one the words "Indians of Robeson County," and inserting in lieu thereof the words "Cherokee Indians of Robeson County."

SEC. 2. That section two of said Chapter Two hundred and fifteen of the Public Laws of North Carolina, session one thousand nine hundred and eleven, be, and the same is hereby, amended by striking out the words "Indians of Robeson County," in the fifth line of said section two, and inserting in lieu thereof the words "Cherokee Indians of Robeson County."

SEC. 3. That said Chapter Two hundred and fifteen of the Public Laws of North Carolina, session one thousand nine hundred and eleven, be further amended by striking out the words "Indians of Robeson County," in line four of said section three, and inserting in lieu thereof the words "Cherokee Indians of Robeson County."

SEC. 4. That the Indians residing in Robeson and adjoining counties who have heretofore been known as "Croatan Indians" or "Indians of Robeson County," together with their descendants, shall hereafter be known and designated as "Cherokee Indians of Robeson County," and by that name shall be entitled to all the rights and privileges heretofore or hereafter conferred by any law or laws of the State of North Carolina upon the Indians heretofore known as the "Croatan Indians" or "Indians of Robeson County," including all such rights and privileges as have been conferred upon said Indians by Chapter Two hundred and fifteen of the Public Laws of North Carolina, session one thousand nine hundred and eleven.

SEC. 5. Neither this act nor any other act relating to said "Cherokee Indians of Robeson County" shall be construed so as to impose on said Indians any powers, privileges, rights, or immunities or any limitations on their power to contract, heretofore enacted with reference to the Eastern Band of Cherokee Indians residing in Cherokee, Graham, Swain, Jackson, and other adjoining counties in North Carolina, or any other band or tribe of Cherokee Indians other than those now residing, or who have, since the Revolutionary War, resided in Robeson County, nor shall said "Cherokee Indians of Robeson County," as herein designated be subject to the limitations provided in section nine hundred and seventy-five and nine hundred and seventy-six of the revisal of one thousand nine hundred and five of North Carolina.

SEC. 6. That Chapter Two hundred and fifteen of the Public Laws of North Carolina, session one thousand nine hundred and eleven, be further amended by striking out the words "Indian Normal School of Robeson County," in the third and fourth lines of said section four of said Chapter Two hundred and fifteen, and inserting in lieu thereof the words "Cherokee Indian Normal School of Robeson County."

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 8. That this act shall be in force and effect from and after its ratification.

(In the general assembly read three times and ratified this the 11th day of March, 1913.)

Exhibit L14.

[Public Laws of North Carolina, Session of 1913, Chapter 129.]

AN ACT To provide for the maintenance and support of the Indian Normal School of Robeson County.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the sum of two thousand two hundred and fifty dollars ($2,250) appropriated by the General Assembly of North Carolina, session of nineteen hundred and thirteen, for the maintenance of the Indian Normal School of Robeson County, the further sum of five hundred dollars is hereby annually appropriated for the years one thousand nine hundred and thirteen and one thousand nine hundred and fourteen for the support and maintenance of said school.

SEC. 2. That the appropriation herein made shall be drawn out by the auditor upon his warrant, and thereupon shall be charged by the State treasurer to the account of said school.

SEC. 3. That this act shall be in force from and after its ratification.

(In general assembly read three times and ratified this the 12th day of March, 1913.)

EXHIBIT M.

CORRESPONDENCE RELATIVE TO THE INVESTIGATION OF THE CONDITION, TRIBAL RIGHTS, ETC., OF THE INDIANS OF ROBESON COUNTY, N. C.

JULY 23, 1914.

Mr. O. M. MCPHERSON, *Special Agent.*

MY DEAR MR. MCPHERSON: Upon the receipt of these instructions, or as soon thereafter as practicable, you will proceed to North Carolina for the purpose of investigating the affairs of the Croatan Indians of Robeson and adjoining counties of that State, as provided for by Senate resolution 410.

This resolution reads:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

Extreme care should be exercised by you in obtaining all pertinent facts relative to the condition and tribal rights of these Indians, in order that this office may be prepared to submit to the next Congress, through the department, full information responsive to said resolution.

Very truly, yours,

CATO SELLS,
Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 24, 1914.

THE AUDITOR OF NORTH CAROLINA,
Raleigh, N. C.

SIR: The United States Senate, on June 30, 1914, passed a resolution (S. Res. 410) directing the Secretary of the Interior to cause an investigation to be made of the condition and tribal rights, educational facilities, etc., of the Indians of Robeson and adjoining counties in North Carolina, commonly known as Croatans, and to make a report to Congress respecting their rights, etc.

I have been detailed to make the investigation called for by said Senate resolution.

I will thank you very much to send me, to Lumberton, N. C., at your earliest convenience, such facts and information from the files and records of your office, or from other sources, respecting the said Indians as are available.

I especially desire to learn the number of these Indians by counties, the number paying taxes in each county, the amount of personal taxes, amount of real-estate taxes, and other facts relating to their history or rights as may be shown by the records of your office or as are available from other sources. I will be pleased to receive any information concerning them which would enable the Secretary of the Interior better to comply with the terms of said Senate resolution. An early response will be appreciated.

I inclose a self-addressed envelope for reply, which will not require postage.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Department of the State Auditor,
Raleigh, N. C., July 28, 1914.

Mr. O. M. McPherson,
Special Indian Agent, Lumberton, N. C.

Dear Sir: Answering your letter of July 24, which you handed me this date, I give you the following information, taken from the records of this department:

	1912	1913
ROBESON COUNTY.		
Number Indian polls	[illegible]	1,[illegible]
Value property listed for taxation	$[illegible]	$[illegible]
SCOTLAND COUNTY.		
Number Indian polls	38	[illegible]
Value property listed for taxation	$6,300	$[illegible]
HOKE COUNTY.		
Number of Indian polls	13	26
Value property listed for taxation	$8,[illegible]78	$4,[illegible]

The records on file in this department from Cumberland, Bladen, and Columbus Counties do not show any Indian polls.

Yours, truly,

W. P. Wood, *State Auditor.*

By Baxter Durham, *Tax Clerk.*

Department of the Interior,
Office of Indian Affairs,
Washington, July 24, 1914.

The Superintendent of Public Instruction
of North Carolina,
Raleigh, N. C.

Sir: The United States Senate, on June 30, 1914, passed a resolution (S. Res. 410) directing the Secretary of the Interior to cause an investigation to be made of the condition and tribal rights, educational facilities, etc., of the Indians of Robeson and adjoining counties

in North Carolina, commonly known as Croatans, and to make a report to Congress respecting their rights, etc.

I have been detailed to make the investigation called for by said Senate resolution.

I will thank you very much to send me, to Lumberton, N. C., at your earliest convenience, such facts and information from the files and records of your office, or from other sources, respecting the said Indians as are available.

I especially desire to be advised of the number of said Indians, their location as to counties, the number of school age, the number and character of established schools, the number attending school in each county, together with the provision that the State of North Carolina has made for the education of said Indians; in short, I desire to obtain full information respecting the educational facilities provided the Croatans. An early response will be appreciated.

I inclose to you for reply a self-addressed envelope which will require no postage.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Office of Superintendent of Public Instruction,
State of North Carolina,
Raleigh, August 3, 1914.

Mr. O. M. McPherson,
Lumberton, N. C.

Dear Sir: Your letter of July 24 to the superintendent of public instruction of North Carolina was referred to me for reply. We have no statistics on the Croatan Indians other than the school population for Robeson County. Mr. Joyner's report for 1911–12 shows that there were 2,183 Croatans of school age—6 to 21 years—in Robeson County; 1,159 enrolled in the public schools, with an average daily attendance of 602. In addition to this we enrolled in the Indian Normal School at Pembroke 134 pupils, with an average attendance of 105.

In sections 4236 to 4242, inclusive, you will find the law establishing this normal school. The sections referred to are in volume 2 of the revisal of 1905 of North Carolina. You will find the amendment in the laws of 1907, 1911, 1913. Section 4086 of the revisal provides for separate schools for the descendants of the Croatan Indians now living in Robeson and Richmond Counties. Sections 4168–4171, inclusive, indicate the manner in which this law is to be carried out. You will see in the matter of education in the elementary schools these Indians are put on the same footing as the other races.

Very truly, yours,

E. E. Sams,
Supervisor Teacher Training.

Washington, D. C., *July 24, 1914.*

Mr. James E. Henderson,
Superintendent of Indian School, Cherokee, N. C.

Sir: The United States Senate on June 30, 1914, passed a resolution

tigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties in North Carolina, commonly known as Croatans, and to make a report to Congress respecting their condition, rights, etc.

Said resolution is as follows:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to cause an investigation to be made of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, recently declared by the Legislature of North Carolina, to be Cherokees, and formerly known as Croatans, and report to Congress what tribal rights, if any, they have with any band or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them, their present condition, their educational facilities, and such other facts as would enable Congress to determine whether the Government would be warranted in making suitable provision for their support and education.

Special Agent O. M. McPherson has been detailed to make the investigation called for by said Senate resolution.

You are requested to communicate with the special agent at Lumberton, N. C., giving him all the information shown by the files of your agency, and such other information as you can obtain from other sources, concerning the subject matter of said resolution. Please make this matter special, and furnish Special Agent McPherson with the information at the earliest practicable date.

Very respectfully,

E. B. MERITT,
Assistant Commissioner.

CHEROKEE, N. C., *July 28, 1914.*

Mr. O. M. MCPHERSON,
Special Indian Agent, Lumberton, N. C.

MY DEAR MR. MCPHERSON: I am in receipt of a letter from the Indian office saying that you had been put in charge of certain investigations among the Croatan Indians of Robeson and adjoining counties of North Carolina and directing me to furnish you with all the information available at this place to aid you in the work.

Since the Croatans and the Cherokees have never been connected either officially or socially the Cherokees refusing to recognize the Croatans there is very little in our files that will be of service to you in the work. During my time here I have seen only a very few letters with reference to the Croatans, and I believe that they were copies of letters from former Supt. Kyselka to the department telling the department that the Croatans were trying to get an act through the North Carolina Legislature making them Cherokees. If you so desire I will hunt up all of the correspondence with reference to the matter and will send you either the originals or the copies as you may desire.

I have always been interested in Croatan affairs, yet I think they have nothing in common with our Cherokees.

In connection with your work you had better come to Cherokee and get some of our cold water and fine air. It must be rather warm down there just now.

Assuring you of all of the aid I am possible to give in your new undertaking, I am,

Very respectfully,

JAMES E. HENDERSON.

LUMBERTON, N. C., *July 30, 1914.*

JAMES E. HENDERSON, Esq.,
Superintendent Cherokee School, Cherokee, N. C.

MY DEAR MR. HENDERSON: I have received your letter of July 28, referring to a recent Indian office letter directing you to furnish me, in connection with the investigation I am making of the condition and tribal rights, etc., of the Indians of Robeson and adjoining counties of North Carolina, as authorized by Senate Resolution 410, all the information in your files relating to the proposed investigation. You refer to certain correspondence had by your predecessor, Supt. Kyselka, with the Indian office, concerning the Croatan Indians.

I will thank you very much to send me copies of all correspondence in your files relating in any way to the so-called Croatan Indians; I think it proper that the originals should remain on file in your office. Please send me also copies of all papers, printed matter, etc., at your command which would be of value to me in said investigation.

An early response will be appreciated.

Would, indeed, be glad to have some of your pure water and fine air, though the weather just now is very comfortable.

Very respectfully,

O. M. MCPHERSON,
Special Indian Agent.

CHEROKEE, N. C., *August 5, 1914.*

Mr. O. M. MCPHERSON,
Special Indian Agent, Lumberton, N. C.

MY DEAR MR. MCPHERSON: Answering yours of July 30, I will say that we have been looking through the files in this office for papers that you might be able to use, but am sorry to say that to this time we have been unable to find anything. I remember to have seen a letter from Mr. Kyselka to the department with reference to the matter since I have been here. I will keep up the search and will forward to you anything I am able to find. Since the Cherokees have had nothing whatever to do with the Robeson County Indians, I fear that we will be able to find very little that will throw light on the subject.

I trust that you can make it convenient to come to Cherokee before you leave Lumberton. I have always had a desire to go to that locality and hope that I can pay you a visit before you leave there.

With the kindest regards, I am, very respectfully,

JAMES E. HENDERSON,
Superintendent.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 24, 1914.

The SUPERINTENDENT OF SCHOOLS OF COLUMBUS COUNTY,
Whiteville, N. C.

SIR: The United States Senate, on June 30, 1914, passed a resolution (S. Res. 410) directing the Secretary of the Interior to cause an

ties in North Carolina, commonly known as Croatans, and to make a report to Congress respecting their rights, etc.

I have been detailed to make the investigation called for by said Senate resolution.

I will thank you very much to send me, to Lumberton, N. C., at your earliest convenience, such facts and information from the files and records of Columbus County office as are available respecting the number of Croatan Indians, if any, in your county; the number of families; the number of children of school age; number attending school; school facilities provided by the State and county for said Indians; the kind and value of their property in the county and amount of taxes paid by them; also any other information respecting said Indians which would enable the Secretary of the Interior better to comply with the terms of said Senate resolution. An early response will be appreciated.

I inclose a self-addressed envelope for reply, which will not require postage.

Respectfully,

O. M. McPherson,
Special Indian Agent.

Chadbourn, N. C., *July 28, 1914.*

Mr. O. M. McPherson,
Lumberton, N. C.

Dear Sir: So far as I can learn our files show no record of any Indians residing in Columbus County. There are a few scattering ones who have come down from Robeson, but this number is so small that no provision has been made for them in our schools.

Mr. K. B. Council, of Wananish, N. C., knows more about those who call themselves Indians in our county than anyone else. He has made a special study of their history and could give you some valuable information concerning them. We have a few in our county who claim to be Indians but who have always been recognized as colored people. Some of these are petitioning us to recognize them as Indians, but because of the lack of knowledge of their ancestors we have not yet been able to grant their request. I seriously doubt whether or not we have any pure-blooded Indians in the county except a few scattering from Robeson.

Yours, truly,

F. T. Wooten,
County Superintendent.

Lumberton, N. C., *July 29, 1914.*

Mr. K. B. Council,
Wananish.

Dear Sir: The United States Senate on June 30, 1914, passed a resolution (S. Res. 410) directing the Secretary of the Interior to cause an investigation to be made of the condition and tribal rights, educational facilities, etc., of the Indians of Robeson and adjoining counties of North Carolina, and to make a report to Congress respecting their tribal rights, etc.

I have been detailed to make the investigation called for by said Senate resolution.

Mr. F. T. Wooten, superintendent of schools of Columbus County, has advised me that you are well informed concerning the history and condition of the Croatan Indians, and could probably give me some valuable information concerning them.

I will thank you very much to give me at your earliest convenience a very full statement relating to the history and condition of said Indians. An early reply will be appreciated.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Lumberton, N. C., *July 29, 1914.*

Hon. Cato Sells,
Commissioner Indian Affairs, Washington, D. C.

My Dear Mr. Sells: Referring to my instructions of July 23, 1914, to proceed to North Carolina and to investigate the condition, etc., of the Indians of Robeson County, and adjoining counties in North Carolina, as directed by Senate resolution No. 410, dated June 30, 1914, I beg to invite your attention to that part of the resolution reading:

* * * and report to Congress what tribal rights, if any, they have with any land or tribe; whether they are entitled to or have received any lands, or whether there are any moneys due them * * *

These are matters which an investigation in the field can not readily develop, and I will thank you very much to advise me at your earliest convenience what the files, records, and papers of the Indian office show on these subjects.

An early reply will be very much appreciated.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Department of the Interior,
Office of Indian Affairs,
Washington, August 4, 1914.

Mr. O. M. McPherson,
Special Indian Agent, Lumberton, N. C.

My Dear Mr. McPherson: The office is in receipt of your letter of July 29, 1914, regarding the tribal rights, etc., of Indians of Robeson and adjoining counties of North Carolina, otherwise known as Croatans.

The main file relative to these Indians is now in your possession, and, it is believed, contains all the information now available. It further appears that you consulted the records of the "old files" relative to the Croatans before your departure from this city.

For your further information, however, there is inclosed a copy of a report of June 6, 1914, to the Congress on Senate resolution 344.

Very truly yours,

C. F. Hauke,
Second Assistant Commissioner.

DEPARTMENT OF THE INTERIOR,
Washington, June 6, 1814.

Hon. HENRY F. ASHURST,
Chairman Committee on Indian Affairs,
United States Senate.

MY DEAR SENATOR: The department is in receipt of your letter of April 29, 1914, transmitting a copy of Senate resolution 344, Sixty-third Congress, second session, providing for an investigation of the present condition, educational facilities, etc., of alleged Cherokee Indians in "Robeson and adjoining counties of North Carolina."

The department has heretofore made reports to Congress on the conditions of these Indians, based upon an investigation made by a supervisor of Indian schools in 1912 in connection with school matters, and for the information of your committee there is inclosed a copy of his report of March 2, 1912. That report shows substantially as follows:

First. The Croatan Indians, as these people are called, number about 10,000 people, of whom about 7,000 reside in Robeson County. The ancestry of these Indians has been much in doubt in the past, but they are now recognized as having originated from the white colonists of the lost colony of the Roanoke and the Indians from remnants of several powerful southern tribes.

Second. These Indians show several positively different types, having no Indian language and no distinctive customs, and being unable to communicate with other Indians except through the medium of the English language.

Third. Until the year 1835 the Croatans were allowed to vote, own slaves, build churches and schoolhouses, and live as comfortably as their white neighbors. The right of suffrage was denied them in 1835, but the Croatans rebelled continuously until they were again recognized as citizens in 1885 and given their right as such.

Fourth. There are but few full bloods among the Croatans, although a large majority of them seem to be at least three-fourths Indian. They are classed as good citizens, are quite industrious, law abiding, and are said to be much interested in education.

Fifth. The Croatans own 28,092 acres of good land, assessed at present $334,212, which is considerably below its actual value. Their personal property schedules $205,205, and they pay $1,247 in poll taxes. They are considered good farmers and raise as much cotton to the acre as many of the white planters. Some of the Indians are poor, but several of them have very good homes, the owners being worth from $6,000 to $10,000 each.

Sixth. The State of North Carolina is doing for the Croatans just what the State of New York is doing for her Indians, giving them a fair common school education. There are 26 Indian district schools, with an enrollment of 1,094 pupils, and in addition, the State has established a so-called normal school at Pembroke for these Croatan day schools.

The following is an excerpt from the Indian census of North Carolina as of June 1, 1890:

A body of people residing chiefly in Robeson County, North Carolina, known as the Croatan Indians, are generally white, showing the Indian mostly in actions and habits.

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The following is an excerpt from the Indian census of North Carolina as of June 1, 1890:

A body of people residing chiefly in Robeson County, North Carolina, known as the Croatan Indians, are generally white, showing the Indian mostly in actions and habits. They were enumerated by the regular census enumerator in part as whites. They are clannish and hold with considerable pride to the traditions that they are descend-

Mr. Hamilton McMillan, of Fayetteville, North Carolina, in 1888 published a pamphlet of 27 pages, the title page of which is as follows: "Sir Walter Raleigh's lost colony. * * * with the traditions of an Indian tribe in North Carolina, Wilson, North Carolina." This pamphlet is to show that Raleigh's colony was carried off by the Indians, and that the Croatan Indians of North Carolina are their descendants. Mr. McMillan also, in answering an inquiry in reference to the Croatans, wrote the following to the Commissioner of Indian Affairs:

RED SPRINGS, N. C., *July 17, 1890.*

* * * The Croatan Tribe lives principally in Robeson County, North Carolina, though there is quite a number of them settled in counties adjoining in North and South Carolina. In Sumter County, South Carolina, there is a branch of the tribe, and also in east Tennessee. In Macon County, North Carolina, there is another branch, settled there long ago. Those living in east Tennessee are called "Melungeons," a name also retained by them here, which is a corruption of "Melange," a name gives them by early settlers (French), which means mixed. * * * In regard to their exodus from Roanoke Island their traditions are confirmed by maps recently discovered in Europe by Prof. Alexander Brown, member of the Royal Historical Society of England. These maps are dated in 1608 and 1610, and give the reports of the Croatans to Raleigh's ships which visited our coast in those years. * * * The particulars of the exodus preserved by tradition here are strangely and strongly corroborated by these maps. There can be little doubt of the fact that the Croatans in Robeson County and elsewhere are the descendants of the Croatans of Raleigh's day.

From information available at this time, it does not appear that the Croatans ever affiliated with or have been recognized by the Eastern Cherokee Indians. No money or land is due the Croatans from the Government. The department will be glad to make a further investigation of the affairs of these Indians, but a sufficient amount should be appropriated to defray the expense thereof. It is estimated this would require about $1,000.

Cordially, yours,

A. A. JONES,
First Assistant Secretary.

LUMBERTON, N. C., *July 29, 1914.*

Mr. HAMILTON MCMILLAN,
Fayetteville, N. C.

DEAR SIR: On June 30, 1914, the United States Senate passed a resolution (S. Res. 410) directing the Secretary of the Interior to cause an investigation to be made of the condition and tribal rights, educational facilities, etc., of the Indians of Robeson and adjoining counties of North Carolina, and to make a report to Congress respecting their tribal rights, etc.

I have been detailed to make the investigation called for by said Senate resolution. I have a copy of your booklet entitled "Sir Walter Raleigh's Lost Colony."

I would regard it as a favor, in the interests of the Indians, if you would furnish me with any information you have concerning said Indians not contained in your pamphlet.

Please send me, also, any information at your command concerning the location of the scattered members of the tribe, not residing in Robeson County, their present condition, their present school facilities, and what the State of North Carolina is doing for the education of the young members of the tribe.

An early reply will be appreciated.

Very respectfully,

O. M. MCPHERSON,
Special Indian Agent.

RED SPRINGS, N. C., *August 2, 1914.*

Hon. O. M. McPHERSON,
Special Indian Agent, Lumberton, N. C.

DEAR SIR: Circumstances beyond my control have prevented a reply to your recent favor relative to the Indians of Robeson County.

Tradition is the Indian's history. The Indians in Robeson are known as Croatans. Croatan is the Indian name *for* an island on the eastern coast of North Carolina, and the early English naturally called the Indians there Croatans from the locality where they were located, and so they are designated today. These Indians call themselves Cherokees. During past 30 years I have interviewed hundreds of them, and the inquiry as to their origin was, without an exception, in favor of their being Cherokees. They pointed to the great roads leading to the mountains in western North Carolina by which their ancestors traveled to the eastern coast. These great roads are the Lowrie Road, an ancient trail along the coast when the ocean extended far west of the present coast line, and the Morganton Road, once an Indian trail but in past century improved by United States Government and made straight. There was another great trail now known as the Yadkin Road, these roads converging near the present town of Fayetteville.

All the tribes in North Carolina, except the Tuscaroras, were originally Cherokee if we accept tradition. The Tuscaroras were at war with the Cherokee Nation, which was a mountain tribe using the eastern portion of our State as a hunting ground. Permanent settlements were made along these great trails, and the Indians traveled back and forth along these trails, and occasionally imigrants from eastern North Carolina now travel on the old Lowrie Road toward the Pedee and Catawba Rivers. The Indians on the coast were friendly to white men at first, and those now known as Croatans claim that they were always the friends of white men; that they received the white colony left on Roanoke Island in 1587, and amalgamated with them. They have about 40 family names among them that are found in the families left in Roanoke Island as preserved by Haklyt. See Hawks' History of North Carolina, vol. 1.

These Indians, numbering nearly 6,000, have no records. The oldest deed in Robeson County is one made by George II to Henry Berry and James Lowrie in 1722. This deed was lost through carelessness of a surveyor. I have seen and handled that deed, which called for 100 acres of land in upper Robeson, now Hoke, at present owned by Hon. D. P. McEachern, of Red Springs.

I was in search of different persons among these people many years ago, and they located some of them in Florida, western North Carolina, and New Mexico. Many of the Indians in Robeson County in 1713 joined "Bonnul" in fighting the Tuscaroras near Pamlico Sound. ("Bonnul" was Gen. Barnwell.) Handed down from father to son through many generations is the universal tradition that their ancestors were Cherokees.

Since their recognition as a separate race they have made wonderful progress. Their hatred of the Negro is stronger than that entertained by Caucasians.

A crowd of Indians from Macon County was present before a joint committee of the senate and house in 1913, in Raleigh, N. C., blance was very striking; so much so that Senator G. B. McLeod, coming before the committee, mistook the western Cherokees as Robeson County Indians.

I am pleased to learn that you will spend some time in your investigation. You will find much ignorance among them as to their origin, as they leave the traditions of the tribe to the old chroniclers of the tribe, and these chroniclers are passing away.

Several of these Indians have lived among the Cherokees in Indian Territory—notably Washington Lowrie, now living but a helpless invalid. Their ancestors fought for American independence and again served in War of 1812. See records in office of adjutant general at Raleigh, N. C.

The names *Lowrie* and *Lochlayal* and *Oxendine* are the only Indian dian names I can find among them, and these are Cherokee names.

Wishing you abundant success in your work and with my best wishes,

I am, respectfully, yours,

HAMILTON McMILLAN.

P. S.—I am somewhat an invalid, and my penmanship may trouble you to decipher.

H. McMILLAN.

LUMBERTON, N. C., *July 30, 1914.*

SUPERINTENDENT OF SCHOOLS OF HOKE COUNTY,
Raeford, N. C.

DEAR SIR: I have been sent to Lumberton, N. C., by the Secretary of the Interior to make an investigation of the condition and tribal rights of the Indians residing in Robeson and adjoining counties in North Carolina. I am advised by Hon. W. P. Wood, State auditor, that there are a few Indians in Hoke County.

I will thank you very much to send me, to Lumberton, N. C., at your earliest convenience, such facts and information as are shown by the records and files of Hoke County respecting the number of Indians in your county; the number of families; number of children of school age; number attending school; the school facilities provided by the State and county for the Indians; the kind and value of their property; amount of their property listed for taxation, and any other information respecting the Indians which you think would be of value to me in the investigation I am making. An early response will be appreciated.

Very respectfully,

O. M. McPHERSON,
Special Indian Agent.

BOARD OF EDUCATION, HOKE COUNTY,
Raeford, N. C., August 4, 1914.

Mr. O. M. McPHERSON,
Lumberton, N. C.

DEAR SIR: In reply to your letter, I will give you what information I can concerning the Indians in Hoke County. There has never been a census of the county taken since it was established, three years ago, and consequently the only information that I can give will have to

I think that there are a few Indians and part Indians scattered about all over the county, but in the tax books they are listed separately in two townships, Allendale and Antioch. Their polls and property is as follows:

Polls, $32. Value live stock, $2,782; farming utensils, etc., $529; household and kitchen furniture, etc., $250; bicycles, etc., $15; jewelry, $9; land, 6 acres, value $60. Total value personal property, $3,584; total, real and personal property, $3,644.

We have never been able to get a complete census of the school children, but I think that there are about 65 or 70. We established a school for them last year, but they taught only two months of school, at a salary of $25 per month. The enrollment was 33. We are planning to establish another school for them the coming year and to continue the one they had last year.

The Indians that we have, as you see from the amount of land that they own, are not permanent settlers, but tenants. This being the case, it is a pretty hard problem to know just how to deal with them. I would be very glad if you could suggest some way that we can deal with them in the way of education. They are good laborers and are continually spreading out into new territory. They are mixed in with the whites and colored people, and we have to maintain three separate schools covering the same territory, and this, as you know, is very expensive.

I would be glad to have you visit this county while you are in this section, and for you to see the exact status of the Indians here. If you can come up for a day or two, let me know in advance so that I can be here to meet you.

Very truly, yours,

J. A. McGOOGAN,
County Superintendent.

LUMBERTON, N. C., *August 4, 1914.*

PUBLISHER THE CHARLOTTE OBSERVER,
Charlotte, N. C.

DEAR SIR: I am advised that Col. Fred. A. Olds, secretary North Carolina Historical Association, early in the summer of 1908 made a visit to the Croatan Indians of Robeson County, N. C., and wrote an extended account of his visit, which was published in the Charlotte Observer of June 21, 1908. If a copy of said issue is available for distribution I will thank you very much to send me a copy. I am making an investigation of the affairs of the Croatan Indians in obedience to Senate resolution 410.

Very respectfully,

O. M. McPHERSON,
Special Indian Agent.

CHARLOTTE, N. C., *August 10, 1914.*

Mr. O. M. McPHERSON,
Lumberton, N. C.

DEAR SIR: In reply to your letter of recent date, we regret to state that we are unable to furnish you with a copy of The Observer of

any time you are in this city we will be glad to lend you our files so that you can read this article, or we could have same typewritten for 5 cents per typewritten sheet.

Yours, very truly,

THE OBSERVER CO.,
PAUL H. BROWN,
Circulation Manager.

DEPARTMENT OF THE INTERIOR,
OFFICE COMMISSIONER INDIAN AFFAIRS,
Washington, August 4, 1914.

Mr. O. M. MCPHERSON,
Special Agent, United States Indian Service,
Lumberton, N. C.

MY DEAR MR. MCPHERSON: I understand there is to be a meeting of the Croatan Indians on the 11th of August and that this meeting is likely to develop more or less things of interest along the line of your inquiry. Consequently, I suggest that you take advantage of the coming together of this body of Indians, and thereby acquire all the additional dependable information possible.

It is my desire that you shall get at the exact facts regardless of resolutions or expressions of interest. It is the facts we want, and on them alone will we be able to draw satisfactory conclusions. Please make your investigation thorough to the end that there will be no occasion for its repetition, as we are now being called upon to do.

Sincerely yours,

CATO SELLS,
Commissioner.

LUMBERTON, N. C., *August 6, 1914.*

Hon. CATO SELLS,
Commissioner of Indian Affairs, Washington, D. C.

MY DEAR MR. SELLS: I have the honor to acknowledge the receipt of your letter of August 4, 1914, concerning my investigation of the condition, tribal rights, etc., of the Indians of Robeson and adjoining counties in North Carolina.

I beg to say in reply that prior to the receipt of your letter I had made arrangements to attend the meeting of the so-called Croatan Indians at Pembroke, on August 11, and had so advised the leading Indians of the band.

On Monday, August 3, I visited the homes of a large number of Indians living southwest of Lumberton in what are known as the Sampson and Hunt settlements. I took notes of their condition and conferred freely with them concerning their history, tribal rights, needs, conditions, and as to what Congress could best do for them. Tuesday, August 4, I conferred with a large number of the Indians in Lumberton, along the same lines, who had come in by arrangement to meet me for such a conference. Yesterday I spent the entire day at Pembroke in a similar conference with the Indians of the Pembroke neighborhood, and conferred with a very large number. I had made

a similar visit to a different part of the Indian settlement; and as I have said, I shall attend the Indian meeting at Pembroke on August 11.

I wish to assure you that I am making my investigation as thorough as possible, and shall put forth my best efforts to get at the "bottom facts."

With kindest regards, I am, very sincerely yours,

O. M. McPherson,
Special Indian Agent.

Indian Mass Meeting, Tuesday, August 11.

There will be a mass meeting of the Indians at the normal school building in the town of Pembroke on Tuesday, August 11, 1914, at 10 o'clock in the forenoon, for the purpose of considering all matters in which the Indians are interested both with reference to schools, the change of name, and any other business which may be necessary.

This meeting is called at the request of Senator Simmons and Congressman Godwin for the purpose of getting our people together upon important matters. The time and place of meeting have been agreed upon by representatives of every section. We urgently request the Indians not only of Robeson, but of all adjoining counties, to attend this meeting, as matters of the greatest importance will be transacted.

Senator Simmons, Congressman Godwin, and others have been invited to be present and address our people.

Let as many as possible bring dinner.

Stephen A. Hammond,
G. H. C., Order of Redmen.
J. A. Hunt,
G. F. M., Order of Rainbow.
Stephen Hunt,
Avener Chavis,
Troy Cummies,
Committee of invitation.

Department of the Interior,
Washington, August 14, 1914.

Auditor Robeson County,
Lumberton, N. C.

Dear Sir: If you have not already done so, I will thank you very much to send me by return mail, the property statistics, from the records of your office, of the so-called Croatan Indians of Robeson County.

An early reply would be very much appreciated.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Washington, D. C., September 15, 1914.

No reply has been received from the auditor of Robeson County to the above request for information.

O. M. McPherson,

Department of the Interior,
Washington, August 14, 1914.

Superintendent of Public Schools,
Lumberton, N. C.

Dear Sir: If you have not already done so, I will thank you very much to send me by return mail the school statistics of the so-called Croatan Indians of Robeson County for the school years 1912 and 1913.

An early reply would be very much appreciated.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

Board of Education, Robeson County,
Lumberton, N. C., August 19, 1914.

Mr. O. M. McPherson,
Washington, D. C.

Dear Sir: Replying to your favor of few days ago, in regard to the Indian schools of Robeson County, I beg to submit the following statistics, as they appear of record in this department:

Scholastic year 1912-13.

Census (6 to 21)	2,643
Enrollment (6 to 21)	1,662
Average daily attendance (6 to 21)	970

Twenty-seven different schools were taught by 32 different teachers (21 male and 11 female teachers). These schools were taught in 27 different buildings, which, together with sites on which they stood, were valued at $7,900. The average length of term was 85.70 days for all Indian schools in the county. In the special-tax districts the term averaged 111.43; in those districts which did not have a special tax the term averaged 80.54 days. During the year 1912-13, $500 was expended for repairs on school buildings and $5,475.25 for teachers' salaries.

Scholastic year 1913-14.

Census	2,948
Enrollment (6 to 21)	1,854
Average attendance (6 to 21)	1,164

Twenty-seven different schools were taught by 36 different teachers. We had the same number of school buildings as in the former year, but $1,160 was spent during the year for new buildings, repairs, etc., bringing the total valuation up to $9,060. The average length of term in all the Indian schools of the county was 102.66 days, in the special-tax schools 104, and in those districts which do not have special tax 100.30 days; $6,410.25 was paid for teachers' salaries. The Indians at present have nine special-tax districts and a number of others will probably be established this year.

It might be well to note that in the figures given above, the census includes all the children of school age in the county, while the figures giving the enrollment and average attendance include only those in the county public schools and do not include those who enrolled and attended at the State normal at Pembroke.

As it now stands these people have no educational opportunities beyond those offered by the local public schools and the State normal at Pembroke. When these have been completed there are no other institutions anywhere in this section of the country to which they can go for industrial or professional training.

Yours, very truly,

J. R. POOLE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 19, 1914.

Mr. A. W. MCLEAN,
Attorney at Law, Lumberton, N. C.

DEAR SIR: Referring to our conversation before I left Lumberton, I have to advise you that so far as I now know I shall submit my report in the matter of the investigation of the Indians of Robeson and adjoining counties in North Carolina, before I take my vacation. Any matter which you care to submit in connection with the investigation should be sent to the Commissioner of Indian Affairs as early as practicable.

Very respectfully,

O. M. MCPHERSON,
Special Indian Agent.

THE BANK OF LUMBERTON,
Lumberton, N. C., August 28, 1914.

Mr. O. M MCPHERSON,
Special Indian Agent, Department of the Interior,
Washington, D. C.

DEAR SIR: I have your letter of the 19th, and just as soon as I can get a little time I will try and send you the further data in regard to the Indians of Robeson County. I will probably send this in in the next two weeks. If that will be satisfactory, please let me know.

Yours, truly,

A. W. MCLEAN.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 31, 1914.

Mr. A. W. MCLEAN,
President of Bank of Lumberton, Lumberton, N. C.

DEAR SIR: Answering your letter of August 28, you are advised that any matter reaching me by September 7 or 8 will be in time for consideration in my report of investigations of the Indians of Robeson County.

Very respectfully,

O. M. MCPHERSON,
Special Indian Agent.

PEMBROKE, N. C., *August 25, 1914.*

Mr. MCPHERSON.

SIR: I am writing you a few lines to let you hear from me. I am well at present, truly hoping you the same. I will ask you a favor if it is not out of order for you to answer. If you please let me know about what date you will be able to make your report to the Indian Commissioner, as I would like to come up there about that time, and I hope that I am not out of order by asking you this favor.

Write at once to yours truly,

WM. LOWRY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 28, 1914.

Mr. WILLIAM LOWRY,
Pembroke, N. C.

DEAR SIR: I have received your letter of August 25, inquiring when I will file my report in the matter of the investigation of the affairs of the Indians of Robeson County, N. C.

In reply you are advised that I expect to be able to file my report in said case about September 15. It must be understood that this is only an approximate date, as some unforeseen event might delay the filing of my report several days. Will be glad to see you at Washington whenever you can make it convenient to come.

Very respectfully,

O. M. MCPHERSON,
Special Indian Agent.

PEMBROKE, N. C., *August 27, 1914.*

Mr. MCPHERSON,
Washington, D. C.

DEAR SIR: Do you think it necessary for the committee to be in Washington at the time when you submit your report for your visit to Robeson County?

Mr. Wm. Lowrie, Abner Chavis, and myself are the committee. Kindly advise me at your earliest convenience.

Very respectfully,

W. R. LOCKLEAR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 29, 1914.

Mr. W. R. LOCKLEAR,
Pembroke, N. C.

DEAR SIR: I have received your letter of August 27, inquiring whether it will be necessary for the committee of Indians to be in Washington when I file my report in the matter of the investigation directed by Senate resolution No. 410.

In response, you are advised that in my opinion it will not be

can not see what the committee could accomplish by being here at that time.

In the ordinary course of business my report will be sent to the Secretary of the Interior, and by him will be transmitted to Congress, in case he is of the opinion that my report covers all the essential facts. Whatever your committee can accomplish will be through the proper committees in Congress.

Very respectfully,

O. M. McPherson,
Special Indian Agent.

St. Pauls, N. C., *September 1, 1914.*

Mr. O. M. McPherson,
Washington, D. C.

Dear Sir: Please grant me this privilege of writing you. I am well and trust you are enjoying life with the greatest of pleasure. I do this to hear from you. Can you tell me anything that is good about our affairs? Would you like to have my picture with my hunting suit?

And if so, I will mail you one.

Yours truly,

A. Chavis.

Department of the Interior,
Office of Indian Affairs,
Washington, September 8, 1914.

Mr. Abner Chavis,
St. Pauls, N. C.

Dear Mr. Chavis: I have received you letter of September 1st, inquiring whether I have anything good to tell you about the affairs of the Robeson County Indians, and whether I would like to have one of your pictures taken in your hunting suit.

In reply you are advised that I have not yet filed my report in the investigation of the affairs of the Robeson County Indians; I hope to be able to file my report within a week.

I regret that I did not take a camera with me so that I could have procured a large number of pictures of the Indians. However, I would be glad to have your picture for my own use, but I could not use one picture to advantage in my report.

Very truly yours,

O. M. McPherson,
Special Indian Agent.

Washington, D. C., *August 29, 1914.*

Dear Mr. McPherson: Referring to our conversation in regard to the matter of the Croatan Indians of North Carolina, I beg to hand you herewith a copy of H. R. 19036 introduced January 29, 1910, by Mr. Godwin, entitled a bill to change the name of the Croatan Indians of the State of North Carolina to their original name, Cherokee.

I also inclose you an extract concerning the Croatan Indians from

is any further information I can furnish you concerning these people, kindly let me know.

Yours, very truly,

CHARLES J. KAPPLER.

P. S.—I also inclose a copy of the hearings had before the House Committee on Indian Affairs on S. bill 3258 "To acquire a site and erect buildings for a school for the Indians of Robeson County, N. C., and for other purposes," which passed the Senate. This bill was an effort to do something for these Indians.

[H. R. 19036, Sixty-first Congress, second session.]

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 24, 1910.—Mr. Godwin introduced the following bill; which was referred to the Committee on Indian Affairs and ordered to be printed.

A BILL To change the name of the Croatan Indians of the State of North Carolina to their original name, Cherokee.

Whereas the Croatan Indians who now reside in the State of North Carolina are a branch of the Cherokee Tribe of Indians and are desirous of changing their name to the original name, Cherokee: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the band of Croatan Indians in said State of North Carolina be, and the same is hereby, changed to Cherokee, by which name they shall be hereafter known and designated.

[Hand Book of American Indians, Bulletin 30, part 1, page 365.]

CROATAN. A village in 1585 on an island then called by the same name, which appears to have been that on which Cape Lookout is situated, on the coast of Carteret County, N. C. The inhabitants seem to have been independent of the chiefs of Secotan. It is thought that the lost colony of Lane, on Roanoke Island, joined them, and that traces of the mixture were discernible in the later Hatteras Indians. (J. M.)

Croatan.—Lane (1586) in Smith (1629), Virginia, 1, 92, repr. 1819. *Croatoan.*—Strachey (ca. 1612), Virginia, 43, 145, 1849. *Crooton.*—Lane, op. cit., 86.

CROATAN INDIANS. The legal designation in North Carolina for a people evidently of mixed Indian and white blood, found in various eastern sections of the State, but chiefly in Robeson County, and numbering approximately 5,000. For many years they were classed with the free negroes, but steadily refused to accept such classification or to attend the negro schools or churches, claiming to be the descendants of the early native tribes and of white settlers who had intermarried with them. About 20 years ago their claim was offi-

have separate school provision, and are admitted to some privileges not accorded to the negroes. The theory of descent from the lost colony may be regarded as baseless, but the name itself serves as a convenient label for a people who combine in themselves the blood of the wasted native tribes, the early colonists or forest rovers, the runaway slaves or other negroes, and probably also of stray seamen of the Latin races from coasting vessels in the West Indian or Brazilian trade.

Across the line in South Carolina are found a people, evidently of similar origin, designated "Redbones." In portions of western North Carolina and eastern Tennessee are found the so-called "Melungeons" (probably from French melange, "mixed"), or "Portuguese," apparently an offshoot from the Croatan proper, and in Delaware are found the "Moors." All of these are local designations for peoples of mixed race with an Indian nucleous differing in no way from the present mixed-blood remnants known as Pamunkey, Chickahominy, and Nansemond Indians in Virginia, excepting in the more complete loss of their identity. In general, the physical features and complexion of the persons of this mixed stock incline more to the Indian than to the white or negro.

See Metis, Mixed Bloods. (J. M.)

O

Federal troops [illegible] community.

[illegible] Monday [illegible]

[illegible] to suffer [illegible] very itself.

ike has been in rn part of Colo- ears and in the t fall. A much been in progress r sections than exico.

Labor Trouble.

atch from Den- t Colorado's 7 conflict claimed yesterday. At sterday one per- ee were wounde e in which less ttempted to dis- rce of 400 strik- e hills adjacent

TION CALLED

Convention will ings May 27.

the executive judicial district yetteville on the nembers of the nt except Mr. Bladenboro, who proxy by E. J. was ordered by judicial conven- purpose of nom- solicitor and the eld on Wednes- May, 1914 at 12 town of Red nty.

ton, Chairman. ec. of Committee.

Drowning Baby.

Dispatch, 27th. out less than two case of Clyde O. aura E. Pendle- in trial here for or the drowning found Clement d Miss Pendleton was recommend- ritans under the dure that he will mprisonment. to have been the defendants was

[illegible] Mrs. Geo. Henry, who has been spending some time visiting her uncle Mr. J. F. Walters, returned home last week.

The Shannon Mercantile Co. has put on its gin building lately a metal roof that adds greatly to its appearance.

INVESTIGATION OF INDIANS.

Simmons and Godwin Want to Know Whether There Are Any Lands Or Moneys Due Indians of Robeson and Adjoining Counties From the Government.

Washington Cor., 28th, Greensboro News.

Senator Simmons and Representative Godwin have introduced a joint resolution requesting the Secretary of the Interior to make an investigation of the Indians of Robeson and adjoining counties of North Carolina recently declared by the Legislature to be Cherokees and formerly known as Croatans. The resolution also directs that the eScretary report to Congress whether there are any moneys or lands due them from the Government; give their present condition, their educational facilities and other facts that would enable Congress to determine whether the Government is obligated to make suitable provision for them.

The Washington correspondent of the Charlotte Observer writes his paper that this joint resolution introduced by Senator Simmons and Representative Godwin was the result of a visit by W.R. Locklar, W. M. Lowry and A. Chavis of Robeson county to Washington to press the proposition to have their status as Cherokees established.

Mr. L. C. Parker Succeeds Mr. G. Y. Jones.

As mentioned in The Robesonian at the time, Mr. G. Y. Jones resigned about a month ago his position as general freight and passenger agent of the Y. & O. S. railroad, to become effective May 1. Mr. Jones has accepted a position with the Laurinburg & Southern. He left yesterday for Laurinburg. Mrs. Jones and two children will remain in Lumberton till about the middle of June. Mr. Jones has made many friends in Lumberton during the six months he has lived [illegible]

Mr. Frank Gooch scored more votes than any other candidate, receiving [illegible] votes, the judge and [illegible] being only one behind, receiving [illegible] each.

Nomination is equivalent to election; the formal election will be held next Monday, May 4.

The formal election will be held next next Monday, May 4.

Mr. C. B. Townsend, who has been chairman of the school board for the past two years, did not allow his name to go before the primary.

Mr. J. P. Russell, the new member of the school board tried to run away from the job after somebody put up his name without his knowledge or consent, but he was nominated anyway.

Mr. A. W. McLean's name was put up without his knowledge or consent and he had the announcement made at the polls that he positively would not serve if nominated, that he had just resigned from the board of directors of the hotel company because the multitude of other matters demanding his attention would not admit of his giving time to the work and that he could not serve as a school trustee for the same reason. In spite of this positive statement, however, in spite, too, of the fact that the poll holders told nearly every man who voted that he need not vote for Mr. McLean, because he would not serve, Mr. McLean received a large vote and narrowly escaped being nominated.

School Commencements.

The Robesonian acknowledges with thanks invitations from the following schools to attend commencementexercises: Buie's Creek Academy, May 9 to14; Glenwood, near Pembroke, May 6 — Prof. H. L. Edens is principal of the school at Glenwood.

Invitation is also acknowledged, received since the above was written, to the commencement of the Lumber Bridge High school, Prof. J. C. Jones, principal. Tomorrow the annual picnic will be enjoyed at Red Springs; Sunday afternoon at 4 o'clock the commencement sermon will be preached by Rev. J. S. Snyder, pastor of the First Baptist church of Fayetteville; class exercises will be held at 8:30 p. m. Monday, May 4; Tuesday, May 5, 11 a. m. the literary address will be delivered by Dr. R. T. Vann, president of Meredith College, Raleigh; and at 8:30 p. m. Tuesday will [illegible]

the recorder's court docket Monday, A. K. Morrison and John T. Moore, assault — judgment suspended on payment of cost.

An item that was crowded out of Monday's paper was mention of the Demorest Comedy Co., which gave performances at the opera house Friday and Saturday night.

—The front of Cartees 5, 10 and 25 cent store is receiving a new coat of paint, which adds much to the appearance of the show windows, which are at all times very attractive.

—The Lumberton high school baseball team will play Rowland on the local diamond tomorrow at 4 p. m. The boys will play Parkton, at Parkton, Monday and Tuesday of next week.

—Mr. H. Parnell, who lives near Buie, was among the business visitors in town yesterday. Mr. Parnell says he wants to be "God-blessed," so he paid his subscription a year in advance.

—Mr. A. P. Ward and family will move next week from the French house on Third street, in which they have been living for some time, to the Pope house, Second and Walnut streets, recently vacated by Mr. and Mrs. P. P. Gray.

—Some lettuce that looks like prize stuff you see in catalogues was brought to Mr. C. B. Redmond's Parlor Grocery this morning by Mr. Woodson, who lives a mile and a half from town on the place he purchased some time ago from Mr. Sandy Barker.

—Mr. E. J. Britt attended yesterday in Fayetteville a meeting of the executive committee of the ninth judicial district and the committee selected Red Springs as the place and May 27 as the date for holding the judicial convention, as will be seen from an item elsewhere in this issue.

—The Pastime theatre will offer a program this and tomorrow evening that will be worth seeing. "Dishing Dick's Dishwater," Pathe; "The Conscience of Hassen Bey," Biograph; and "Frayed Fagan's Adventure," Kalem, will be run today. Tomorrow's bill will be "A College Cupid," Luhin, "For Her Government," Biograph, and "Until the Sea," Selig.

—A live ball game was pulled off on the local diamond Tuesday afternoon between the Lumberton and Red Springs high school teams. The score was 12 to 2 in favor of Lumberton. The features of the game was the pitching of Nye, of the home team, who struck out 19, only allowing one hit and the base runs of Stone [illegible]

SINGLE COPY FIVE CENTS

THURSDAY, JULY 30, 1914. NUMBER 47.

FOR MASS MEETING.

Will Hold a Mass Meeting at Court House August 12 to Adopt Platform and Name Candidates—Platform That Will Be Submitted for Approval of People—Favors Radical Reduction in Expenses of County Officers, Abolishing Other Offices, Etc.

The People met in the court house Tuesday morning in response to a call by Mr. W. K. Culbreth for the members of the executive committee of the Republican and Progressive parties of Robeson county; but no members of the Republican executive committee were present. It was a meeting of Progressives. Mr. Culbreth presided and the result of the deliberations was the folowing resolutions for a platform and call for a mass meeting:

We, the undersigned citizens and voters of Robeson county, believe that it is the wishes of the people of the county that salaries should be reduced, unnecessary offices abolished and taxes lowered; and believe that those who have been administering the affairs of county government and making our laws are not friends to the people, as shown by their acts in voting for the wage earners to be allowed only 50 cents per day for their services and board themselves, and other acts which we believe to be eminent proof of infidelity to the interest of the common people. We suggest the folowing resolutions as our platform, and call all citizens who are in favor of them to meet at the court house in Lumberton at a mass meeting on the 12th day of August, 1914, at 11 o'clock, for the purpose of adopting a platform and nominating a ticket, which may be supported by all who endorse the platform, for the county, if elected.

Platform.

1. We favor the abolishing of the County Road Law and the making of one, which will be equitable with the best interests of the people of the county.

2. We favor allowing the sheriff services as much as $60 per month and $75 per month for his deputy.

3. We favor allowing the clerk of the Court $100 per month for services and $50 per month for his deputy.

4. We favor allowing the register of deeds $100 per month and $50 per month for his deputy.

5. We favor allowing the superintendent of public instruction $100 per month for his clerk hire.

6. We favor allowing the coroner $3 per day with $1 per mile one way, for not over 12 meetings.

7. We favor allowing the county treasurer $100 per month for his clerk hire.

8. We favor abolishing the of-

GETTING DATA ON INDIANS

Special Agent of Interior Department at Washington Investigating Indians of Robeson County.

Mr. O. M. McPherson, special representative of the Bureau of Indian Affairs, Washington, D. C., arrived in Lumberton yesterday for the purpose of investigating the status of the Indians of Robeson county.

He will probably be in the county two or three weeks, seeking information as to the school facilities, educational means, and also the origin and tribal relations of these Indians. He will attend the Indian mass meeting at Pembroke on August 11th.

Mr. McPherson has recently finished an investigation for the government of the Cherokee Indians in Western North Carolina.

Mr. McPherson spent Tuesday in Raleigh and yesterday's News and Observer had the following in regard to his visit:

"Are the Croatan Indians of Robeson county a branch of the Cherokees? is a question which the Interior Department of the United States Government is attempting to solve. The North Carolina Legislature has decided that the Croatans belong to the Cherokee tribe but your Uncle Sam is from Missouri and will have to be shown.

"Senator Simmons has become interested in this much mooted question and to this end has had Congress pass a resolution to make an investigation into the lives and history of these strange Robeson county citizens.

"Armed with a letter of instruction from Hon. Cato Sells, United States Indian Commissioner, Mr. O. M. McPherson, special Indian agent from the Interior Department at Washington spent yesterday in the city mainly in the State Library getting all the data that he could find regarding the Croatans.

"He looked up the published information regarding the "Lost Colony and secured much valuable data that will help him in his work which he expects to complete within the next month or so.

"Mr. McPherson left yesterday afternoon for Lumberton and will live among the Croatans for the two or three weeks and get all the information possible concerning their mode of living, their wealth, educational advantage and such other facts as will enable the department to prosecute intelligently the inquiry which has been set on foot by the Senate resolution, fathered by the North Carolina Senator.

"Should the fact be established that the Croatans are actually a branch of the Cherokee tribe they will be entitled to a share of the government funds which amounts to quite a snug sum."

Many Attending Reunion.

The old soldiers reunion is being held at St. Pauls today. A large

BRIEF LOCAL NEWS ITEMS.

—License has been issued for the marriage of Emory McWhite and Oney Johnson, Andrew Edwards and Addie Ruse.

—There will be an Epworth League social at the Methodist parsonage this evening, beginning at 8:30. All who are interested in the work are invited.

—Mr. Lacy McNair returned Monday night from St. Stephen, near Charleston, S. C. He reports a great trip, and lively times down in "the land of Blease."

—Mr. Donnie Phillips of Stephens Crossing, near Orrum, was among the visitors in town yesterday. Mr. Phillips reported a good rain in his immediate section Tuesday night.

—Mrs. W. D. Baggett and two children left Sunday for Timmonsville, S. C., where they will join Mr. Baggett, who recently accepted a position in a hardware store there.

—Mr. J. S. Oliver of Marietta is among the visitors in town today. Mr. Oliver says while his section had just a little rain Tuesday, it was not sufficient to stop the crops from burning.

—It is expected that another record-breaking crowd will go from here to the beach next Sunday morning. A large number of people in this section are taking advantage of the $1.25 rate.

—The outlook for a large crowd from this section to go on the Norfolk excursion next Tuesday is good. The train passes here at 7:15 Tuesday morning, the round trip fare being $4.50.

—The Girl From the Hills, one of the Famous Players, but three reel feature pictures, is running at the Pastime theatre this afternoon and tonight. An additional reel will be run, making a four-reel show.

—Chief of Police H. H. Rodgers went yesterday to Charlotte, where he will consult an ear specialist. He is expected to return the last of the week. Mr. A. E. Spivey is subbing for him while he is away.

—Mr. J. T. Wilkins, who lives on route 6 from Lumberton, was among the visitors in town Tuesday. He brought a load of nice melons along and gave this reporter one that was up to the standard in every respect.

—St. Pauls Messenger: Mr. and Mrs. J. A. Coley returned from their bridal tour last Friday evening. A reception was given them at Mr. J. M. Butler's, where they will live until they go to housekeeping in their own home on Broad street.

—Revs. I. P. Hedgpeth, W. J. Coley and R. L. Byrd left this week for Northfield, Mass., where they will attend the summer school of study institute. They will be gone three weeks, and will visit Washington, New York and Boston before they return.

Robesonian, July 30th, 1914, page 1

WE HAVE MADE A DECIDED IMPROVEMENT IN OUR MARKET. HELP US MAINTAIN A STRICTLY FIRST-CLASS PLACE BY PATRONIZING US. WE HANDLE EVERYTHING HANDLED IN AN UP-TO-DATE MARKET. BUYING ONLY THE VERY BEST PRODUCTS.

A TRIAL WILL CONVINCE YOU

THE

Palace Market

John Orrell, Jr.
Manager.

NOTICE.

To the Democratic Voters of Robeson County:

We, the acting members of the committee appointed at the mass meeting of taxpayers held on the 18th inst. for that purpose, do hereby announce as the names of the candidates selected by us as follows, viz:

For Senator, Neill J. McRimmon, a large farmer of Alfordsville township; For House of Representatives, H. C. McNair, a farmer of Maxton township and J. Shep Oliver a farmer of Whitehouse township.

For County Commissioners, Rory McLain of Maxton township and D. H. Britt, of Back Swamp township, both of them farmers. Mr. Britt is also president of the Farmers' Union.

We feel that we are offering to the people men to cast their votes for Aug. 8th, against whom nothing can truthfully be said,—men in whose lips is no deceit and in whose hearts is no guile.

We could not have found better or more suitable men for these different places as they are all well and favorably known throughout the county, we feel that no words of comment upon them is necessary, but suffice it to say that they all stand on our platform to our satisfaction, and are men whose democracy cannot be questioned.

If you want your taxes reduced, vote for these men.

Respectfully submitted,

C. E. ZEDAKER,
JNO. B. REGAN,
W. N. M'LEAN,
Committee.

enjoy the annual picnic at Spring Branch.

Rev. Edwin Purcell will arrive home this week to spend a few days with his parents, Mr. and Mrs. J. E. Purcell. Mr. Purcell will conduct services in the Presbyterian church next Sabbath.

Mr. W. L. MacLeod spent Sunday in town at the home of his father, Mr. W. J. McLeod.—Miss Bessie Gibson is visiting her aunt, Mrs. Faison of Bennettsville, S. C.—Rev. Angus J. Hodgin is expected home this week.—Miss Ethel Gibson left Monday afternoon for Laurinburg, where she will spend some time visiting relatives and friends.

Mr. C. A. Watson, father of our townsman, Mr. F. K. Watson, died at his home a few miles from town Monday and was buried at McNeill cemetery Tuesday morning.

INDIAN MASS MEETING.

Will Be Held at Normal School Building at Pembroke August 11—Purpose to Consider All Matters in Which Indians are Interested —Called at the Request of Senator Simmons and Congressman Godwin.

The following call has been issued for a mass meeting of Indians to be held at Pembroke August 11:

There wil be a mass meeting of Indians at the Normal school building in the town of Pembroke on Tuesday, August 11, 1914, at 10 o'clock in the forenoon for the purpose of considering all matters in which the Indians are interested both with reference to schools, the change of name and any other business which may be necessary.

"This meeting is called at the request of Senator Simmons and Congressman Godwin, for the purpose of getting our people together upon important matters. The time and place of meeting have been agreed upon by representatives of every section.

"We urgently request the Indians not only of Robeson, but of all adjoining counties, to attend this meeting as matters of the greatest importance will be transacted.

"Senator Simmons, Congressman Godwin and others have been invited to be present and address our people.

Let as many as possible bring dinner.

STEPHEN A. HAMMOND,
G. H. C. Order of Red Men.
J. A. HUNT,
G. F. M. Order of Rainbow.
STEPHEN HUNT,
AVENER CHAVIS,
TROY CUMMINS,
Committee of Invitation.

Stops Neuralgia—Kills Pain.

Sloan's Liniment gives instant relief from Neuralgia or Sciatica. It goes straight to the painful part—Soothes the Nerves and Stops the Pain. It is also good for Rheumatism, Sore Throat, Chest Pains and Sprains. You don't need to rub—it penetrates. Mr. J. R. Swinger, Louisville, Ky. writes: "I suffered with quite a severe Neuralgic Headache for four months without any relief. I used Sloan's Liniment for two or three nights and I haven't suffered with my head since." Get a bottle today. Keep it in the house ready for use.

Little Miss Emma Smith of Rich Mount and Olivia and Ethel Lee Wallace of Wilmington arrived Tuesday and are guests of Mrs. C. V. Brown.

Mr. and Mrs. C. V. Brown and small son, C. V. Jr., returned Tuesday afternoon from Wrightsville Beach, where they spent several days.

Mr. Frank Nash, who came home Sunday to attend the funeral of his grandmother, Mrs. Amanda Nash, returned Monday night to Wrightsville Beach, where he is clerk at the Hanover inn.

Mrs. H. B. Jennings and children went yesterday to Wrightsville Beach where they will spend some time.

Misses Eliza and Nannie Townsend left this morning for Clarkton, where they will spend several days visiting relatives.

Mrs. W. E. Severance and two children, Misses Eva North of Lake City, S. C., and Mrs. T. J. Gill of Laurinburg arrived this morning and will spend several days in town as guests at the home of Rev. and Mrs. W. B. North.

Mr. R. L. Rogers of Winder, Ga., came to Lumberton Sunday morning from Wrightsville Beach, where he had been spending some time, and was met here by Dr. J. R. Rogers and a Dr. Henslee of Dillon, S. C. After Spending a few hours at the home of Mr. and Mrs. C. B. Townsend they left in an auto for Dillon. The Messrs. Rogers are nephews of Mrs. Townsend.

Preparing for Baby Show at Pastime.

Messrs. J. B. Taylor and C. P. Harrison of Charlotte are in town this week making pictures of all the principal business houses, churches, school buildings and street views, also pictures of all the children under 10 years of age. After the pictures are taken slides will be made and next week, beginning Monday afternoon and lasting all the week the pictures will be shown at the Pastime theatre in addition to the regular program. Prices will be as usual and 10 cents, before 6 o'clock in the afternoon; but after that time 15 cents will be charged for all children who attend the show. For every 10 cent ticket sold during the week 5 votes will be given to some child whose picture will be shown in the baby show, and two votes for all 5 cent tickets sold. You can vote for any child you wish. On Saturday night the baby that has received the most votes during the week will receive a beautiful gold bracelet, the one receiving the next highest number of votes will receive a gold ring and the one receiving the third highest vote will receive a gold necklace. The prizes can be seen in the show window at Dr. A. W. Parker's jewelry store.

CITROLA

GIVE IT TO THE CHILDREN

Finest physic for children. They love it like Lemonade and suits their system to a thorough cleansing.

Robesonian, Monday, August 20th, 1914, page 3 .. this issue has the date misprinted on several pages

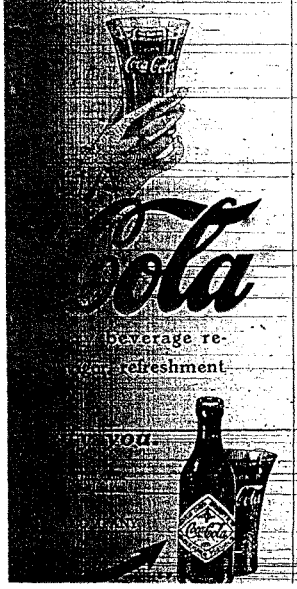
How to Sharpen Scissors.

September Woman's Home Companion's department entitled "The Exchange," in which contributions from practical housekeeping readers are published, gives the following how to sharpen scissors:

"Dull scissors take a bottle and with the scissors as if you would cut the neck off the bottle. It is effective."

How to Cure a Sprain.

A sprain may be cured in about one-half the time required by the usual treatment by applying Chamberlain's Liniment and observing the directions on each bottle. For sale by all dealers.



COMMITTEES ON INDIANS

Committees Appointed by General Committee to Look After Interests of Indians in Various Parts of County.

At the mass meeting of Indians held at Pembroke Tuesday of last week a General Committee was appointed to have oversight of the welfare of the Indians of Robeson county. That General Committee has appointed sub-committees as follows:

For the district composed of St. Pauls, Lumberton, Raft Swamp, Saddle Tree, Howellsville and Rennert townships: A. Chavis, E. D. Smith, St. Pauls; Gilbert Locklear, J.E. Dial, J. A. Locklear, J. N. Lowrie, Floyd Locklear, Lumberton; E. M. Clarke, Rennert.

Of this sub-committee J. E. Dial is chairman and E. D. Smith is secretary.

Of that part of the county included in Fairmont, Alfordsville, Rowland, White House, Thompson and Gaddy's townships, the following were appointed as members of the general committee: E. J. Hunt, Daniel Locklear, Rowland. Paul J. Chavis, Fairmont, Alfred Hunt, Hamer, S. C.; Stephen Hunt, Rowland; S. B. Hunt, W. M. Locklear, Fairmont; Lonnie Oxendine, Rowland.

Of this sub-committee Stephen Hunt is chairman, and Daniel Locklear is secretary.

Of that part of the county included in Pembroke, Red Springs, Smith's, Back Swamp, Maxton, Alfordsville and Burnt Swamp townships, and also Hoke county, the following were appointed members of the General committee: Wm. M. Lowrie, James Cummings, Pembroke; S. T. Strickland, Red Springs; Wm. R. Locklear, Pembroke; Noah Brewer, Red Springs; E. B. Sampson, Lumberton; Willie Chavis, Maxton; D. W. Locklear, Buie.

Of the above sub-committee Wm. M. Lowrie is chairman and James Cummings is secretary.

J. A. Locklear of Lumberton, was elected chairman of the General committee, and James Cummings secretary.

The September Woman's Home Companion.

The September Woman's Home Companion is a "Fashion Forecase Number." Grace Margaret Gould, the fashion editor, with the assistance of her staff of writers and artists, presents the fashion news in a practical way so that readers can follow up her suggestions and make definite use of them. In a general way her policy is to show women how they can make use of the latest fashions without extravagance. An interesting feature of this month's fashion department is a colored plate of an afternoon gown designed by Madame Paquin for the conservative American woman. The gown is reproduced from Madam Paquin's design by Henry Hutt and is done in full color.

Another strong feature of the September issue is the first of a series of

ALONG ROUTE FIVE

Social and Personal Items—Church Services.

Correspondence of The Robesonian.

Lumberton, R. F. D. 6, Aug. 17.—Cupid will succeed but we must be tell yet.

Sorry to report Mrs. N. D. Smith still on the sick list.

Mr. B. T. Blake is working for Mr. J. B. Meares, who is taking his vacation, and is growing in popular favor with the people all along the way.

Mr. and Mrs. D. A. Pitman and children of route No. 3 from Lumberton were visiting Mrs. Pitman's brother and sister-in-law, Mr. and Mrs. A. S. Pitman, Saturday night and Sunday.

Mr. and Mrs. Geo. P. Branch and children of Proctorville were visiting friends and relatives the latter part of the week.

Mr. A. T. Phillips and family of the Globe Swamp section were visiting Mr. and Mrs. W. H. Bullock the latter part of the week.

Mrs. J. M. Fleming and daughter, Miss Emma, report a much enjoyed social pastime among friends near Clarkton last week.

Mr. and Mrs. Alex Spivey gave an ice cream supper Saturday night in honor of Mr. Spivey's sister and children, Mrs. Fannie Knight of Lake City, S. C., in which a very nice company of the young people of the community participated. They are loud in singing Mr. and Mrs. Spivey's praise as entertainers.

Very large congregations greeted us at Cedar Grove Sunday morning and after noon, and the happy privilege of the presence of the people, their good behavior and earnest attention, and if there ever was better order preserved by as large a crowd we witnessed the baptizing at Mr. Wardwick's Mill Sunday afternoon, we do not remember it now. It is a genuine pleasure to serve so respectful a people.

Zion's Tabernacle was the center of attraction for us two days last week on account of the strong sermons of that prince of young preachers, Rev. Fred T. Collins of Clinton.

Little Miss Eureka Pitman was with us one day and on the second trip Mrs. Fleming and her sister, Mrs. A. S. Pitman, accompanied us.

J. M. FLEMING.

Constipation Causes Sickness.

Don't permit yourself to become constipated, as your system immediately begins to absorb poisons from the backedup waste matter. Use Dr. King's New Life Pills and keep well. There is no better safeguard against illness. Just take one dose to-night.

NOTICE OF SUMMONS

North Carolina, Robeson County, In the Superior Court, First Monday in Term, 1914.

Hattie Townsend

vs.

Mary Mercer, Arthur Mercer, et al.

[illegible] the Liege fortifications which were still undamaged by German artillery bombardment.

British war office information says most of the 26 German [illegible] have been located and the passage of German troops is [illegible] between Liege and Luxembourg.

[illegible] endeavor to keep steamship [illegible] on the Atlantic, the British Admiralty and the French Government have sent cruisers and [illegible] vessels to search for [illegible] craft.

[illegible] are mining Vladivostok [illegible]

[illegible] combined Montenegrin and Servian [illegible] of Bosnia has been [illegible] the Servian General Jankovitch, [illegible] the Servian Army [illegible] Pirarend in the Balkan War. [illegible] George of of Servia is reported to have been wounded while [illegible] the Austrian bombardment [illegible]

[illegible] Again Germany's [illegible]

[illegible] says it learned on [illegible] Germans' fruitless [illegible] forts, the Germans again approached [illegible] Holland as intermediary [illegible] that Germany had [illegible] Belgium and asked [illegible] government to reconsider [illegible] the German army [illegible] to save useless [illegible] and treasure. [illegible] Holland, according [illegible] again refused the [illegible]

[illegible] says it understands [illegible] the British Government [illegible] German cruisers [illegible] which are in the [illegible] be interned, but that [illegible] believe Turkey has [illegible] and intends to [illegible]

[illegible] Arrive From Europe

[illegible] Philadelphia, [illegible] of Assurance [illegible] Europe after [illegible] and is now [illegible]

[illegible] special freight rate commission appointed by Governor Craig to investigate the reasonableness of the Justice intra-State freight rate act today filed its report. A careful reading of the report shows that the commission raised the rates in the Justice act from 15 to 25 per cent. This is a reduction over the old rates or present schedule of approximately 18 per cent.

Indian Mass Meeting.

It is said that a large crowd of Indians, numbering something like 3,000, attended the mass meeting at Pembroke Tuesday. Mr. A. W. McLean of Lumberton made a short address. Mr. O. M. McPherson, special agent of the U. S. Indian Bureau, who is spending some time among the Indians of Robeson gathering data, was the principal speaker.

Voted a Dun.

Did he vote Democratic, Republican or Bull Mose? He voted a milk bill. A certain man in Lumberton township, cast a "dun" for all candidates for the Senate, House, and county offices Saturday. It is thought he placed his ticket after marking it in his pocket with some other papers and when he went to vote he voted the bill instead of his ticket. Things will happen.

Chairman McNeill Thanks Primary Managers.

Mr. T. A. McNeill, Jr., chairman of the county Democratic executive committee, through The Robesonian wishes to thank the primary managers, poll holders and township chairmen for the efficient and prompt manner in which they handled the primary and returns Saturday.

Condemn Conduct at Polls.

It is rumored that some steps are on foot to condemn the conduct about the polls here Saturday, and it is a sure fact that steps will be taken to keep a similar occurrence from taking place at any future primary.

Player feature which is being shown at the Pastime theatre today is 5 reels long and is sure to please.

—"A Lady of Quality," a Famous [illegible]

[illegible] of Fairmont, R. 2, visited Mr. Robert Andrews Saturday. Miss Prude Inman and Miss Pearl Andrews visited Miss Carrie Jenkins the latter part of last week. Mr. Donnie Andrews and sister, Miss Ruth, visited the home of Mrs. W. M. Andrews last Saturday night.

Mrs. L. D. Pittman is teaching a few weeks of school.

Among the Sick.

Mr. J. A. Bethea left last night for Baltimore, where he will enter a hospital for an operation for appendicitis.

Miss Ruth Jones, stenographer and bookkeeper for Dr. T. C. Johnson, will be taken to the hospital this afternoon for an operation for appendicitis.

—St. Pauls Messenger: The Robesonian comes out with remarkable regularity. Twice it has failed to come out on time since we have been in St. Pauls—twenty-seven months—and last Thursday night was the other one.

—Mr. Wallace Norment has been appointed manager of the hardware department of Messrs. R. D. Caldwell & Son's department store, to succeed Mr. F. C. Norris, who resigned to accept a position as traveling salesman for the Richmond Hardware Co. of Richmond, Va.

—Mr. J. S. McDonald, manager and [illegible] of McDonald Bros. [illegible] arrived home this morning from Bristol, where, on the 4th, unto Mr. and Mrs. McDonald at the home of Mrs. McDonald's parents was born a 9-pound girl. Mrs. McDonald and the baby are getting along nicely. Mr. McDonald spent 5 weeks at Bristol.

Wanted in Scotland County.

Shep Turner, a white man, wanted in Scotland county on a charge of assault with a deadly weapon, was arrested near Fairmont Tuesday by Rural Policeman W. C. Britt.

Itching piles provoke profanity. Profanity won't remove them. Ointmol is recommended for bleeding or protruding piles. [illegible] drug store.

Lumberton, North Carolina
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