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RICHMOND

May 9, 1925.

Hon. A. T. Shields,
Rockbridge County Clerk's Office,
Lexington, Virginia.

Dear Sir:

In reply to your letter of May 4th, which came during my absence from the office, I beg to advise that the matter in reference to an appeal in the Atha Sorrells case was left to the Attorney General and the lawyer, Mr. Shewmake, employed by the Anglo Saxon Clubs. After going over carefully the evidence, in view of the fact that nothing new could be introduced, they decided that it was unwise to appeal the case as the only evidence upon which we absolutely relied, that of our records was set aside by Judge Holt, and we would not care to take the risk of having the Supreme Court render a similar decision. Our hope is to drift along until the next legislature, and have them pass a bill preventing the marriage of the Indians with the whites. In my judgement there are no native Indians in Virginia unmixed with negro blood.

As to the Robinson, Hartless, and Tyree people, I think if you will get their pedigree, and trace it up in their old birth records, you will be pretty apt to find that part of them, if not all of them, will be recorded as colored. In more recent years, however, especially since the decision in 1876, a considerable proportion of them, just as in the cases you mentioned, have been married as white. I do not know how you can avoid it, as we would not care to have another case tested in Court. It would really be better if they would accept it, to enter them as Indians, and we can have the whole Indian outfit handled at one time by the legislature. They seem to be satisfied to be called Indian.

I am telling you this, however, as a matter of confidence, as we would not care to arouse opposition in advance. It looks now very much as if a considerable portion of the Rockbridge tribe has gotten away from us, and that we will find it a hard matter to properly classify them in the future. Judge Holt's unfortunate decision has greatly emboldened them. In Amherst County, however, we are still able to hold them in place.

I would suggest that you confer with our Mr. V. W. Davis, of Fairfield, who seems familiar with the facts. He wrote us a letter which might be considered confidential, and I would not care to quote from it, but you can talk to him yourself.

Very truly yours,

STATE REGISTRAR.

WAP/P