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SENATE JOINT RESOLUTION NO. 292

Offered January 19, 2015

Extending state recognition to the Wolf Creek Cherokee Tribe of Virginia.

Patron—McEachin

Referred to Committee on Rules

WHEREAS, the Wolf Creek Cherokee Tribe of Virginia, a Native American people, many of whom were originally Powhatans and were driven from Virginia during the massacre of 1622 to 1623, became affiliated with the northern branches of the Cherokees with whom they fled and are now linguistically a branch of the Iroquoian language group; and

WHEREAS, precontact Cherokee are considered to be part of the later Pisgah Phase of Southern Appalachia, which influenced Mississippian culture and as far north as Lee County, Virginia, from circa 1000 to 1500; and

WHEREAS, a 1974 map by the Smithsonian Institution shows the ancestral home of the Cherokee in southwest Virginia and as far north as Rockingham County; and

WHEREAS, since 1621, the Wolf Creek Cherokee Tribe has been known by many names, including "Hassinnungaes" in 1621, "Rickahochans" or "Ricahecrians" in 1656, "Tomahitan" in 1673, "Tchalaquie" in 1755, "Ani-Kitu-Hwagi," the long house group of eastern Indians who kept alive ancient rituals and customs, "Ani-Yun-Wiya," meaning "the real people," and "Tsalagi," meaning "we are still here"; and

WHEREAS, in 1654, the Rechaecrians fought in the Battle of Bloody Run, in an area currently known as Church Hill in Richmond, against the English colonists who allied with the Pamunkey in an unsuccessful attempt to force the Cherokee from the settlement at the falls of the James River; and

WHEREAS, on April 23, 1672, a treaty was entered into by the Cherokee and Virginia to allow the trading of goods with the Indians at Fort Chiswell in Wythe County before the Fort Chiswell mines were closed for violating the treaty with the Cherokee; and

WHEREAS, in 1673, Gabriel Arthur and James Needham conducted trade expeditions, funded by Abraham Woods of England, with the Cherokee; on one expedition, James Needham was killed and Gabriel Arthur survived; he lived among the Cherokee people, married, and had a daughter whose descendants are members of the Wolf Creek Cherokee Tribe; and

WHEREAS, in 1776, Enoch Osborne, a long hunter and trader, married Mary Brock, a Cherokee, and due to their relationship, long hunters did not attack Cherokees in the area; and

WHEREAS, on April 19, 1896, Edgar Whitehead published in the *Richmond Times* the names of Cherokees living in Amherst County at the time of the Revolutionary War, and in 1898, American anthropologist William Wallace Tooker published a study on the Rechaecrian Indians; and

WHEREAS, many treaties with the Cherokees have been broken throughout the years, and land owned by the Cherokee was ceded or forcibly taken; and

WHEREAS, Dr. Walter Ashby Plecker, serving as the first registrar for the newly created Virginia Bureau of Vital Statistics from 1912 to 1946, denied Cherokee Indians and other Indian tribes the ability to verify their continuous heritage through the use of accurate and legally binding documents; and

WHEREAS, the Wolf Creek Cherokee Tribe, a 501(c)(3) nonprofit organization, is dedicated to maintaining its Cherokee culture and heritage through ongoing education, preservation, and community outreach through participation in cultural events that educate and support good will, such as pow wows, school programs, cultural and musical performances, and performances at military institutes; and

WHEREAS, the Wolf Creek Cherokee Tribe will also provide for the preservation of artifacts, artwork, genealogical research, and educational classes through its museum, when the Tribe relocates from small southwestern Virginia communities to Henrico County in March 2015; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That from and after the effective date of this resolution, the General Assembly of Virginia extend state recognition to the Wolf Creek Cherokee Tribe of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to Chief Terry Price of the Wolf Creek Cherokee Tribe of Virginia, requesting that he further disseminate copies of this resolution to his constituents so that they may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FURTHER, That the General Assembly of Virginia, by this resolution, does not address the question of whether the Wolf Creek Cherokee Tribe of Virginia has been continuously in existence since the 1600s; and, be it

RESOLVED FURTHER, That the General Assembly of Virginia, by this resolution, does not

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59 confirm, confer, grant, or recognize any rights or privileges, including any vested or nonvested rights to
60 property real and personal, to the Wolf Creek Cherokee Tribe of Virginia under any law, treaty, or other
61 agreements; and, be it
62 RESOLVED FINALLY, That the General Assembly of Virginia, by this resolution, does not confirm,
63 confer, or address in any manner any issues of sovereignty.