Family Histories And Race

On Trial In Rockbridge In 1924

Editor's note: This is the 13th article in the series "Revolutionary Moments," published periodically by the News-Gazette, and written by Eric Wilson, executive director of the Rockbridge Historical Society and chair of Rockbridge250. This installment includes core contributions drafted by Madeleine Forrest Ramsey, Sandra Hayslette, and Tom Camden, co-presenters in the Nov. 15 RHS program described below.



ABOVE, Glasgow native and program co-presenter Tom Camden (photo, Susan Brady) shows the extensive genealogical chart he was given as a boy, drafted as evidence for the successful 1924 lawsuit to receive a marriage license brought by his ancestor Atha Sorrells. That case was argued in the Rockbridge Circuit Court House dedicated during Confederate Memorial Day ceremonies in 1897 (as seen in advertisement at left), and now the fitting site for RHS' Nov. 15 program in its community meeting room. (photo of Camden by Evan Ostby)



Honoring Native American Heritage Month, the Rockbridge Historical Society will stage two free programs, inviting community members to gather on Sunday, Nov. 15, for a presentation and conversation that explores local legal challenges to Virginia's 1924 "Act for the Preservation of Racial Integrity." The presentation will begin at 2:30 p.m. in the Old Courthouse Meeting Room, 2 S. Main St.

On Wednesday, Nov. 18, RHS' monthly series, Revolutionary Films & Books: 1776-2026, follows with a film screening and discussion, illuminating indigenous histories in our region and commonwealth through broader geographical and chronological frames. Together, they extend geographically beyond the Appalachian frontier (through scenes from Ken Burns' nine-part 1996 documentary series, "The West"), and chronologically across "A Millennium in North America," to front the subtitle of Kathleen DuVal's national best-seller and 2025 Pulitzer-Prize-winner, "Native Nations."

See RHS 's Facebook and Instagram pages for more details, video trailers, and textual excerpts.

Meaningfully, the Nov. 15 program will be held in the very building where a landmark and successful legal action to grant a marriage license was tried before the Rockbridge County Court 102 years ago. A slideshow will complement remarks from local historians, professors, and public school teachers, along with a descendant of families involved in that litigation. As a particular highlight, he'll display his expansive genealogical chart, noting the "refusal of white license" to plaintiff Atha Sorrells, while reaching back through no less than 14 generations of ancestors who'd settled around Irish Creek since the 18th-century, whose kinship and social networks were newly and variously classified by the statute as "white" or "Indian," "negro" or "slave."

The Reach of Jim Crow

Indigenous histories in our region have tended to center around colonial and revolutionary conflicts between the British Empire, American Republic, and Shawnee, contesting the "French and Indian War" and "War for Independence." Ritually, if more passingly, those accounts acknowledge the shifting residency of Monacan and other Eastern Siouan and Tutelo-speaking peoples who'd settled the Shenandoah Valley for over 10 millennia.

Here, the spotlight turns to the less-familiarly-surveyed early 20th-century, when President Calvin Coolidge was elected just 10 days before Judge Henry Holt's ruling in the Rockbridge Circuit Court.

Ironically, Virginia's infamously restrictive law took effect three months before Congress passed the 1924 "Indian Citizenship Act," which notably extended key federal rights and birthright citizenship to native residents and many tribal communities, with some significant qualifications and contingencies.

That initiative sought to close some of the loopholes originally established as strategic exceptions in the U.S. Constitution; serially adjudicated across through three centuries of treaties between the United States and native nations across the continent; and tactically discriminated within the Equal Protection Clause of the 14th Amendment, "excluding Indians not taxed." At the same time, that new 'law of the land' tightened many other means of political and economic control, illustrating the complexity and frequent contradictions involved in the conventional if slippery term, "The Progressive Era."

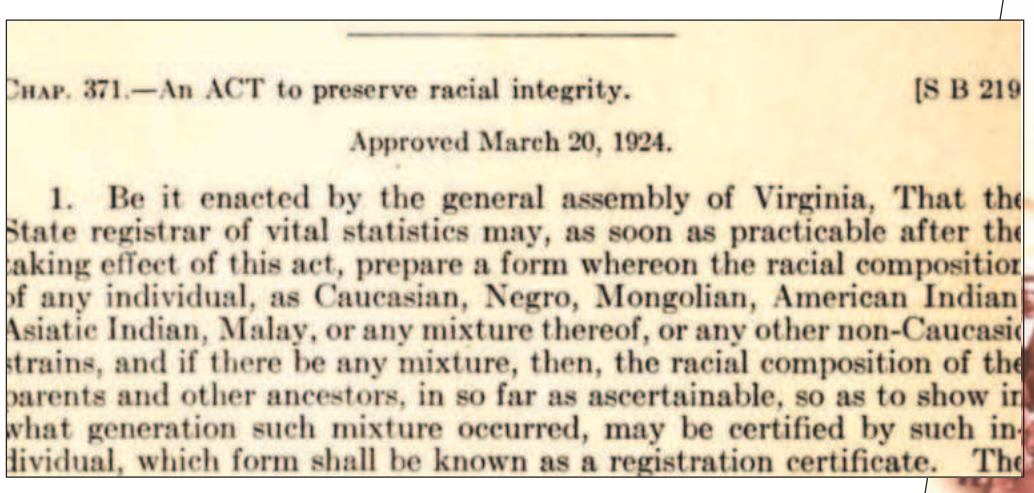
VMI history professor Madeleine Forrest Ramsey emphasized this push-and-pull between national authority and states' rights during her overview of the Rockbridge case during RHS' April program on "Revolutionary Women of Virginia." To set the stage for her more detailed assessments introducing this month's presentations, she writes:

"During the Progressive Era in Virginia, the intersection of eugenics, white supremacy, and state bureaucracy culminated in policies that severely impacted African Americans and Native Americans. Driven by a desire to strictly classify citizens and enforce racial purity, Virginia established its Bureau of Vital Statistics in 1912 under the fervent white-supremacist Dr. Walter Plecker. Supported by groups like the Anglo-Saxon Clubs of America, these efforts resulted in the 1924 Racial Integrity Act, further enforcing four centuries of segregation and racism."

More specifically, Ramsey continues, "This law introduced the state's first legal definition of 'whiteness' and required all Virginians to register according to race. It also forbade 'white' Virginians from marrying people of color. Canny enforcement of this new legislation severely impacted Black and indigenous people through its bureaucratic regulation of terms like 'colored' or 'citizen.'"

Tracking the growing pressure of the American Civil Rights movement against the de jure and de facto constraints of Jim Crow, Dr. Ramsey emphasizes: "The law remained in effect for 43 years, until the 1967 U.S. Supreme Court decision in Loving v. Virginia. But the 1924 statute produced specific, lasting ramifications for the state's Native population, effectively eliminating any legal claims to 'Indian' identity and heritage. By systematically dismantling their legal recognition, the commonwealth threatened the cultural survival and sovereignty of Virginia's tribes."

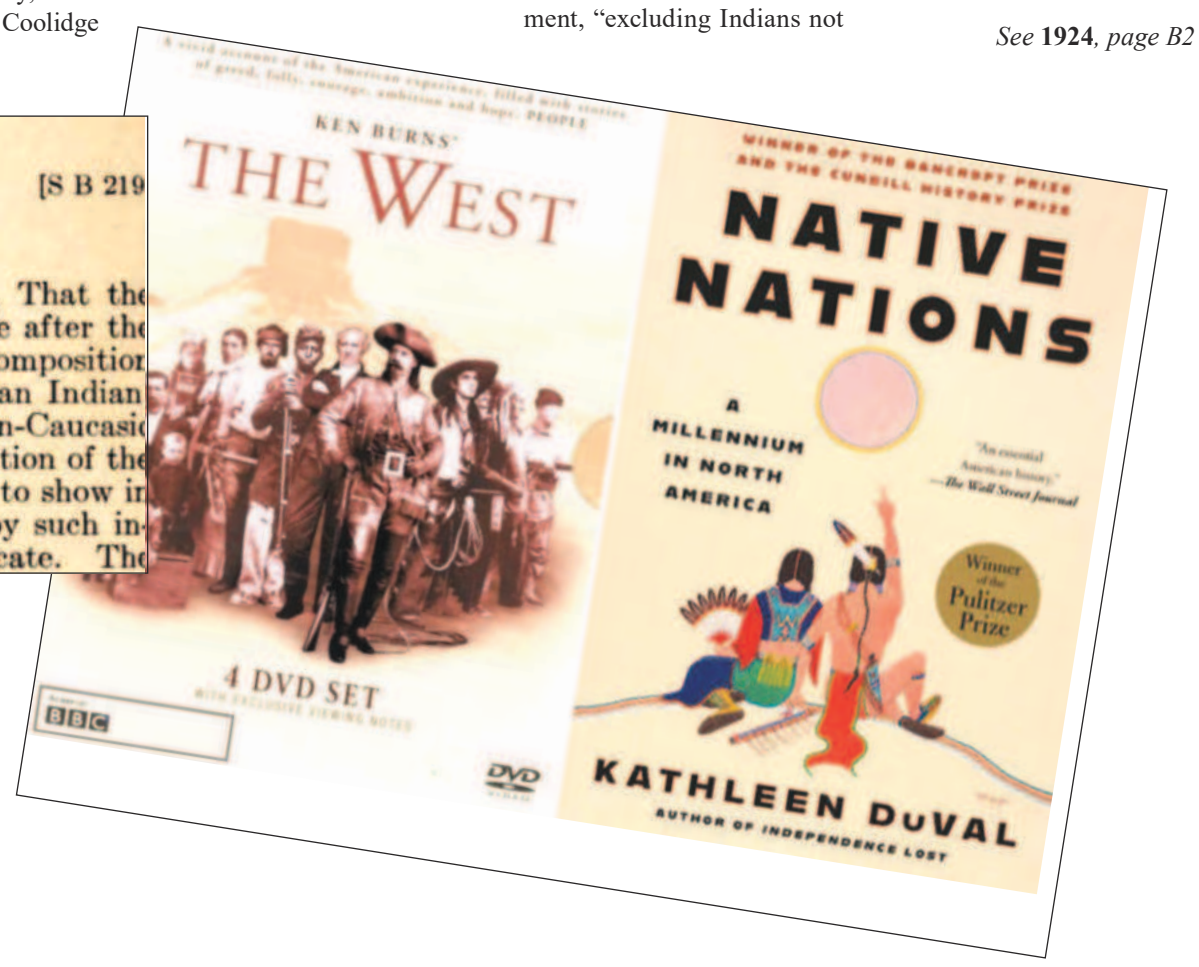
See **1924**, *page B2*



CHAP. 371.—An ACT to preserve racial integrity. [S B 219

Approved March 20, 1924.

1. Be it enacted by the general assembly of Virginia, That the State registrar of vital statistics may, as soon as practicable after the taking effect of this act, prepare a form whereon the racial composition of any individual, as Caucasian, Negro, Mongolian, American Indian Asiatic Indian, Malay, or any mixture thereof, or any other non-Caucasic strains, and if there be any mixture, then, the racial composition of the parents and other ancestors, in so far as ascertainable, so as to show in what generation such mixture occurred, may be certified by such individual, which form shall be known as a registration certificate. The



PASSED THREE months before Congress passed the "Indian Citizenship Act of 1924," extending federal rights to many Native Americans and their communities, Virginia's own reactionary law effectively erased indigenous identities and prevented interracial marriage by legally defining all Virginians as either "white or colored." On Nov. 18, RHS continues its Native American Heritage Month programming by screening scenes from Ken Burns' documentary, with discussion of selections from the 2025 Pulitzer Prize-winning "Native Nations."

1921

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Race and Marriage, On Trial in Rockbridge

Based on her original research into documentary sources preserved in the Library of Virginia, historian Dr. Sandra Hayslette (who also taught at VMI and Rockbridge County High School for many years) unpacks the particularities of local events, legal arguments and rulings, and formal and informal countermeasures. She explores their impact both for individuals and families directly involved, as well as the wider Rockbridge community who not only witnessed but testified during those proceedings. Hayslette's own account follows here, more fully.

"In September 1924, two Rockbridge County couples seeking marriage licenses were forced to petition for a writ of mandamus (a judge's order to an elected official to act). Both couples had been denied licenses because county clerk A.T. Shields asserted they violated the newly-minted Virginia Racial Integrity Act. Both cases – that of the marriage of Dorothy Johns and James Erby Conner, and the marriage of Atha Sorrells to Robert Painter – resulted in trials before Judge Holt, who would soon be appointed to the Virginia Supreme Court in 1928.

"Both cases were more than just local actions, each involving Walter Plecker, first registrar of Virginia's Bureau of Vital Statistics, and a vociferous, leading national advocate of eugenics. An Augusta County native and physician, Plecker had long threatened legal action against families in Rockbridge, Amherst, and Nelson counties who claimed 'Indian' identity. He and many other eugenicists believed these groups – many of whom were ancestors of today's Monacan nation members – were using Indian identity claims to hide black identity under prevailing definitions of race, which claimed that 'blackness' was inherited from any single ancestor deemed 'black' in one's family line, no matter how distant the relation."

Emboldened by the Racial Integrity Act he'd helped to write, Plecker was looking for test cases, and found them in these two marriage license applications.

Tried first, the Johns-Conner case denied a marriage license after a short trial with only three witnesses. One was Plecker, who liked the outcome but was disappointed by Judge Holt's unwillingness to acknowledge that all of the Rockbridge-Amherst-Allegheny Indians were African-American.

"The Sorrells-Painter appeal, heard a month and a half later, unfolded very differently," Dr. Hayslette explains. "A team of local defense attorneys, including a couple of Washington and Lee professors and their students who were alarmed at the eugenicists' use of courts to press their case. They prepared a painstaking defense of the couple's right to marry, including extensive genealogy research and a huge slate of witnesses, ranging from some of Rockbridge's most renowned leaders, to farmers and millworkers. After many hours in court, Holt ruled definitively for Sorrells and Painter, issuing a blistering rebuke to Plecker and Commonwealth Attorney and future U.S. Senator A. Willis Robertson for their courtroom tactics. He even went so far as to question the validity of the claim that a single ancestor, 'one drop' understanding of race was logical at all."

In the Encyclopedia of Virginia's account of these cases, Virginia Humanities' editor Brendan Wolfe wrote: "In an editorial published on November 20, 1924, the Richmond Times-Dispatch urged the state to appeal the Sorrells decision, but the Attorney General decided against it. Meanwhile, Plecker decided to target Virginia Indians, seeing them as obstacles to 'white racial purity.' He worked to prove that all Indians were actually African Americans who attempted, unsuccessfully, to persuade the federal Census Director not to recognize Indians in Virginia."

Hayslette highlights the broader impact of this local case: "Holt's ruling was also a setback to eugenicists at large. After this ruling, Plecker and his colleagues no longer pursued a strategy of using the courts processes to 'prove' racial identity cases against marriage-license applicants. Instead, they sought other means of controlling people's racial categorization by revising state documents and policies, rather than confronting people in court."

Among those tactics, a 1943 document authored by Plecker (headed in blaring all-caps, and sent to all of Virginia's local registrars, court clerks, and legislators) which itemized "SURNAMES, BY COUNTIES AND CITIES, OF MIXED NEGROID VIRGINIA FAMILIES STRIVING TO PASS AS "INDIAN" OR WHITE." With 15 last names determined as common to Rockbridge, that document is viewable on RHS' Facebook page.

As Hayslette qualifies, "It's appropriate to see the 1924 cases as a Rockbridge community effort to assert a local 'common-sense' understanding of racial categorization and its consequences, against state officials' efforts to intervene and control that local process. But it's not appropriate to see those efforts as a conscious or unconscious strike at Jim Crow era racial codes and segregation, or indication that there was a local commitment to building a better and more equitable racial order here.

"Together," she concludes, "these 1924 cases reinforced deep divides between whiteness and blackness, drove longstanding wedges between local Indians and the black community, and traumatized generations of local people identifying as Indian or Black. The national and international publicity given the cases by eugenics proponents guaranteed that a host of outside observers – from white nationalists around the world (including even Hitler and his deputies), to legal scholars then and now – looked at the Rockbridge cases with deep interest. That spotlight also ensured that the group of people at the heart of the case, the ones traditionally called 'Rockbridge Indians,' would continue to receive patronizing, demeaning, and disempowering attention for decades."

'The Burden of History': A Family Legacy

A more personal coda to the presentation will be shared by Natural Bridge native, RHS trustee, and retired W&L professor Tom Camden, who also served for several decades as an archivist and director of Special Collections at the George Marshall Library, the Library of Virginia, and Washington and Lee.

Anticipating his comments for the program's more informal roundtable conversation, Camden writes:

"Virginia's 1924 Racial Integrity Act had a dramatic impact on my family. But it was not until my retirement from a long, gratifying career preserving, protecting, and promoting the legacies of others that I actually acknowledged and confronted my own maternal family's sometimes painful past. I knew very little about the dark and profound impact of that state law and local judgments on my mother's Irish Creek family, largely because she steadfastly refused to talk about it."

For this story, Camden was photographed with his family's remarkable genealogical chart, a copy of which is digitally accessible through the Library of Virginia.

Camden reflects: "I was given a powerful and original document as a young boy that clearly expressed the legal and moral difficulties experienced by my maternal family as a direct result of Virginia's Jim Crow policies. That family tree was specifically drafted and submitted as evidence for the landmark 1924 Rockbridge County court case challenging the legality of the statute, six months after its passage by the General Assembly. Safely tucked away for more than 60 years in the bottom of a dresser drawer, it's now become a pivotal linchpin for my own personal journey to acknowledge, to confront, and to contextualize my own family legacy, and to come to terms with what I now often and openly refer to as 'the burden of history.'"





Trick-Or Treating At Glen Maury Park

There was no shortage on candy acquiring opportunities for children this past weekend in Rockbridge County. On Halloween afternoon Saturday, campers at Glen Maury Park got into the spirit and handed out candy to trick-or-treaters in a walk-through event. After walking the loop around the campground, children were also treated to slices of pizza from Coach's Pizza and cold soft drinks. (Joann Ware photos)





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