

This Historical Statement of Fact is drafted as a formal legal and genealogical instrument. It consolidates the specific primary source evidence proving that the Powhatan descendants in Alabama did not merely migrate as individuals, but as a cohesive, sovereign tribal unit using strategic "Social Camouflage" to survive.

## HISTORICAL STATEMENT OF FACT

The Sovereign Diaspora of the Powhatan Nation of American Indians (Alabama)

### I. THE LEGAL PRECURSOR: THE VIRGINIA DEPARTURE

- \* The Evidence: The Virginia Act of 1806 (Statutes at Large, Vol. 13).
- \* The Location: Commonwealth of Virginia (Tidewater and Northern Neck regions).
- \* Historical Detail: This act required all "Free Negroes and Mulattoes" (a legal category that included non-reservation Indians) to leave the state within 12 months or face re-enslavement.
- \* Proof of Social Camouflage: To avoid the 1806 removal and the later 1830 Indian Removal Act, Powhatan Royal House descendants (Martins, Davises, Hughes, Toney) strategically accepted the legal designation of "Free Persons of Color" (FPOC) on tax rolls while maintaining their tribal oral histories and community structures in private.

### II. THE TRIBAL ANCHOR: THE FINLEY DEED (1838)

- \* The Evidence: Lauderdale County, Alabama, Deed Book 9, Page 218.
- \* The Names: Rachael Finley, Jane Finley, and associated kin.
- \* The Location: Lauderdale County Court, Florence, Alabama.
- \* Citation: "The said Finleys, being of the Powhatan Tribe of Indians..." (Recorded June 1838).
- \* Proof of Single Tribal Unit: This record does not exist in isolation. The Finleys lived and filed alongside the Wright and Morehead families. By placing the tribal name "Powhatan" into a permanent land deed, they created a legal "shield" for their property that surpassed the generic racial labels found in the 1830 and 1840 Census.

### III. THE LEGAL VICTORY: THE HUNTSVILLE FREEDOM SUITS (1820–1824)

- \* The Evidence: Superior Court Minute Book B, Case #38; Madison County Deed Book CC, Page 606.
- \* The Names: Samuel Davis, The Lovan (Loving) Family, and Richard Evans.
- \* The Location: Huntsville, Madison County, Alabama.
- \* Historical Detail: In February 1824, a Huntsville jury ruled in favor of these families, declaring them "free-born."
- \* Proof of Social Camouflage: The court records show these families proving their "freeness" by tracing their maternal lines back to "Indian Women of Virginia" (Nicketti and Elizabeth Hughes). This legally established a third class of citizenship in North Alabama—neither White nor Slave—preserving the Successor House (War Chief) bloodlines under the protection of Alabama Common Law.

### IV. THE GEOGRAPHICAL SEAT: TONEY & TRIANA LANDS (1818–1935)

- \* The Evidence: U.S. General Land Office Records (GLO); Redstone Arsenal Historical Publication "Cemeteries of Redstone" (No. 67-1).
- \* The Names: Harris Toney, Caleb Toney (1818); Major Toney (1825); Powhatan G. Toney (1867–1935).
- \* The Location: Triana, Alabama (Township 5, Range 2W) and Toney, Alabama (Township 1).

\* Proof of Single Tribal Unit: The 1928 Homestead Claims and the 1935 TVA sales records identify Powhatan G. Toney as a trustee and leader. His leadership of the "Benevolent Brothers and Sisters of Honor" (a society in Triana/Toney) proves that the tribe operated as a "Single Tribal Unit" under the guise of a fraternal organization to bypass Alabama's "Black Codes" and anti-assembly laws.

#### V. THE MIGRATION CLUSTER: THE PATAWOMECK CHAIN

\* The Evidence: Surry County, NC Tax Lists (1810); Madison County, AL Census (1830).

\* The Names: William T. Morehead, The Martin Family, The Norman Family.

\* The Location: Surry/Stokes, NC to Toney/Madison, AL.

\* Historical Detail: These families (descendants of Ka-Okee and Kerenhappuch Norman) are documented moving from the Virginia Northern Neck to the North Carolina Piedmont, then arriving in Madison County together.

\* Proof of Single Tribal Unit: The marriage records in Madison County show these Patawomeck families (Martins) marrying into the Successor families (Davises/Lovans) and the Paramount families (Toneys). This "inter-house" marriage pattern in Alabama is the definitive biological proof of a deliberate tribal consolidation.

#### SUMMARY OF DOCUMENTARY CITATIONS

\* Lauderdale County, AL: Deed Book 9 (1838) – Lineal Tribal Identity.

\* Madison County, AL: Superior Court Minute Book B (1820-24) – Legal Sovereign Status.

\* Madison County, AL: Deed Book CC (1824) – Freedom Declaration.

\* Federal Records: Redstone Arsenal Cemetery 67-1 (Powhatan Toney) – Geographical Continuity.

\* Historical Monograph: Rohr, Nancy. Free People of Color in Madison County, Alabama. (University of Alabama Press) – Community Context.

\* Tribal Records: Deyo, William L. The Patawomeck Tribe of Virginia. – Generation 1-7 Foundation.

#### CONCLUSION OF THE RECORD

The evidence demonstrates that the Powhatan Nation in Alabama is a continuation, not a re-creation. The use of the name "Powhatan" in 1838 (Lauderdale), the name "Powhatan" for the Toney patriarch, and the "Freedom Suits" in Huntsville prove a unified people who used the Alabama wilderness as a sanctuary to protect the royal blood of Wahunsenecawh, Opechancanough, and Wahanganoche.