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LRB102 26597 MST 37330 r

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SENATE RESOLUTION

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WHEREAS, The Prairie Band Potawatomi Nation is a  
3 federally-recognized Indian tribe that originally occupied  
4 homelands in southern Wisconsin, northern Illinois, and  
5 northwestern Indiana; and

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WHEREAS, Members of the Prairie Band Potawatomi Nation  
7 were signatories to the 1829 Treaty of Prairie du Chien, which  
8 reserved two sections of land near Paw Paw Grove, Illinois for  
9 Potawatomi Chief Shab-eh-nay and his band; and

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WHEREAS, Shortly thereafter, the Potawatomi people of  
11 northern Illinois were removed from their homelands in  
12 connection with the U.S. Indian Removal Policy of the 1830s;  
13 and

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WHEREAS, The Prairie Band Potawatomi Nation relinquished  
15 nearly all of their initial 28 million-acre homeland in the  
16 Great Lakes area when the Treaty of Chicago was signed only  
17 three years later; and

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WHEREAS, The 1833 Treaty of Chicago did not cede the  
19 Shab-eh-nay Reservation to the U.S., but instead it reaffirmed  
20 the reservation established for Chief Shab-eh-nay and his band  
21 in the 1829 Treaty of Prairie du Chien; and

1           WHEREAS, Because the land reserved for Chief Shab-eh-nay  
2 and his band in Illinois was expressly reserved by the U.S.  
3 Senate when it ratified the Treaty of Prairie du Chien in 1829,  
4 the land belonged to Chief Shab-eh-nay and his band despite  
5 the removal of most of his tribe to lands in Kansas; and

6           WHEREAS, In 1849, while Chief Shab-eh-nay was away  
7 visiting relatives in Kansas, the U.S. General Land Office  
8 illegally sold the land and passed the title to non-natives;  
9 and

10           WHEREAS, Since then, individuals, the State of Illinois,  
11 the DeKalb county government, and corporate entities assumed  
12 ownership of lands within the Shab-eh-nay Reservation and  
13 continue to occupy Shab-eh-nay's lands to the present day; and

14           WHEREAS, The current non-Indian occupants within the  
15 Shab-eh-nay Reservation should not be held liable for  
16 occupying the land; and

17           WHEREAS, The federal government has admitted that it  
18 violated federal law when it sold the Shab-eh-nay Reservation  
19 in 1849; and

20           WHEREAS, Only Congress can affirm the Prairie Band

1 Potawatomi Nation's authority within the reservation, resolve  
2 any damages owed to them, and clear the land title of the  
3 state, county, and local residents; and

4 WHEREAS, The Prairie Band Potawatomi Nation seeks a  
5 complete resolution of all issues relating to the Shab-eh-nay  
6 Reservation through congressional recognition of its land  
7 ownership and the taking of land by the federal government;  
8 therefore, be it

9 RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL  
10 ASSEMBLY OF THE STATE OF ILLINOIS, that we support the Prairie  
11 Band Potawatomi Nation's efforts to regain possession of Chief  
12 Shab-eh-nay and his band's land that was illegally sold by the  
13 federal government in 1849; and be it further

14 RESOLVED, That we encourage the federal government to  
15 enact legislation to address the ownership of the Shab-eh-nay  
16 Reservation reserved for Chief Shab-eh-nay and his descendants  
17 under the Treaty of Chicago in 1833.