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SENATE JOINT RESOLUTION NO. 12

Senate Amendments in [] — February 16, 2010

Extending state recognition of the Nottoway Indian Tribe of Virginia.

Patrons Prior to Engrossment—Senators Lucas, Locke, Marsh, Miller, J.C., Miller, Y.B. and Ticer;
Delegates: Abbott, Alexander, BaCote, Barlow, Dance, Howell, A.T., Joannou, Pogge, Spruill, Tyler
and Ward

Referred to Committee on Rules

WHEREAS, the 1983 Session of the General Assembly passed House Joint Resolution 54 recognizing the existence within the Commonwealth of certain named Indian tribes and also acknowledged the fact that members of other Indian Tribes reside within the Commonwealth; and

WHEREAS, the Nottoway Indian Tribe of Virginia was not among those Tribes formally recognized in 1983; and

WHEREAS, the Nottoway Tribe was a powerful Tribe at the time of the English settlement of the land that became Virginia, and its prominent role in the early history of this Commonwealth is well documented; and

WHEREAS, the king of the Nottoway Tribe was the second signatory of the 1677 Treaty of Middle Plantation; and

WHEREAS, the 1677 Treaty of Middle Plantation has been cited in conjunction with the recognition of the eight tribes previously recognized by the Commonwealth of Virginia; and

WHEREAS, the Nottoway Tribe signed a stand-alone Treaty of 1713-14 with Governor Spotswood; and

WHEREAS, the separate Treaty with the Nottoway Tribe in 1713-14 reserved 44,000 acres of historic Nottoway territory exclusively for the Nottoway Tribe; and

WHEREAS, the 1728 William Byrd expedition stayed with the Nottoway during the journey to survey the dividing line between Virginia and North Carolina and described the Nottoway as the only Indians of any consequence now remaining within the limits of Virginia; and

WHEREAS, from 1830 until 1878, parcels of Nottoway reservation land were allotted to descendants of the historic Nottoway tribe; and

WHEREAS, descendants of the Nottoway Indian Tribe of Virginia from that time maintained and today continue to maintain their homes in counties and cities of the area that was the ancestral home of the Nottoway Tribe; and

WHEREAS, historical state and local documents, court records, and investigations by such noted scholars as James Mooney and William Gilbert of the Smithsonian Institution in the early part of the twentieth century attest to such continued residence; and

WHEREAS, in 2006 the Nottoway Indian Tribe of Virginia reorganized, incorporated and elected a Tribal Council; and

WHEREAS, in 2007, a formal review of historical documents and testimony confirmed the current Tribal Council of the Nottoway Indian Tribe of Virginia consists of descendants of the historical Nottoway Tribe; and

WHEREAS, the Nottoway Indian Tribe of Virginia and its descendants contributed and continue to contribute to the settlement and growth of the Commonwealth, have maintained their ethnic background, and number among themselves families with names well-known throughout the area and the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That from and after the effective date of this Resolution, the [~~Commonwealth of Virginia recognizes the existence within the Commonwealth of~~ General Assembly of Virginia extends state recognition to] the Nottoway Indian Tribe of Virginia and with this, grants the Nottoway Indian Tribe of Virginia, Incorporated, representation on the Virginia Council on Indians; and, be it

[RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to Chief Lynette Allston of the Nottoway Indian Tribe of Virginia, requesting that she further disseminate copies of this resolution to her 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 Commonwealth~~ That the General Assembly of Virginia] , by this resolution, does not address the question of whether the tribe has been continuously in existence since 1776; and, be it

RESOLVED FINALLY, That the [~~Commonwealth~~ General Assembly of Virginia] , by this

ENGROSSED

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57 resolution does not confirm, confer or address in any manner any issues of sovereignty.