



SB 405

Proponent Testimony

Chief Ben Barnes

The Shawnee Tribe

February 8, 2022

Chairman Olson, Members of the Committee, thank you for the opportunity to testify in favor of SB 405, authorizing the state historical society to convey the Shawnee Indian Cemetery, located in Shawnee, KS, to the Shawnee Tribe. My name is Ben Barnes and I am the Chief of the Shawnee Tribe.

The Shawnee people have existed as distinct people of North America for more than 500 years. Shawnees met the first Europeans in what would become the southeastern United States in 1540. For at least the past half-millennia, the Shawnee people have had a distinct and separate culture, government, religion, and language from other Indigenous tribes. Historically, we were an eastern woodland tribe, yet Shawnees have experienced numerous and continuous migrations and removals westward over the past two hundred or so years. Our migration west ended when the Shawnee arrived in Kansas. The other two modern federally-recognized Shawnee governments would bypass Kansas entirely. The Lewistown Shawnees were forcibly removed from Ohio directly to Oklahoma and became the Eastern Shawnee Tribe of Oklahoma of today. Meanwhile, the Absentee Shawnee Tribe of Oklahoma would never come to Kansas, choosing not to take up lands in Kansas but to remain in Mexico near modern-day Nacogdoches, Texas. The Absentee Shawnee were first described as “absentee” by a Mexican official, Juan Almonte, in his petition to the Mexican government to grant status and land to the Shawnee in lands that

were to become Texas. Following the Republic of Texas joining the United States, the Shawnees of Texas and Mexico would settle near modern-day Oklahoma City.

For my people, the Shawnee Tribe, it was in 1828 that we first arrived in Kansas and chose the area of present-day Shawnee, Kansas, as our headquarters, although the territory included all lands from the Missouri border to present-day Topeka. In 1854, the US government reduced the Kansas Reservation to 160,000 acres, forcing many Kansas Shawnees to relocate to northeastern Oklahoma.

During the conflict of the Civil War, Shawnees served the Union and the State of Kansas with distinction in the Union armies. The Kansas Shawnees became known as the “Loyal Shawnee” for our service to the abolition of slavery, the United States, and of course, the State of Kansas. As our fellow Kansans know, that was not without cost, as it was also our villages, our women, children, and elderly that were butchered by William Clarke Quantrill’s guerilla band of confederate sympathizers. Following the passage of the Kansas-Nebraska Act and upon returning home from service during the war, Shawnees would find squatters upon their lands. The pressure would encourage Shawnees to migrate yet again, but this time due south to a recently formed Indian Territory that would become today’s Oklahoma.

Over the succeeding generations, we Shawnees whose families came from Kansas wore the name “Loyal Shawnee” proudly. During those years, we never lost our identity as a distinct people with a government of our own, a language, culture, and religion. Finally, in December of 2000, after decades of working toward a full restoration of our status as a federally-recognized tribe with historic treaty status with the United States, an Act of the United States Congress conferred our modern name, which is quite simply the “Shawnee Tribe”.

This name befits our migratory nature and our history in more than twenty eastern states. We are indeed a proud people whose ancestors ring from the pages of United States history. Persons like Tecumseh, Tenskwatawa, BlackBob, and Bluejacket are not just our heroes but our family.

Today we come before these chambers of Kansas leadership to again respect those ancestors. Located within the city of Shawnee is a tiny cemetery where prominent leaders of the Shawnee Tribe lie in their final repose. Personages such as Chief Joseph Parks, Mose Silverheels, and family members of that



famous general, Chief Bluejacket, are buried in this cemetery. Indeed, these graves are an important material reference point for these peoples' lives, people who were associated with some of the most transcendent Shawnee historical events of the 18<sup>th</sup> and 19<sup>th</sup> centuries.

The location of the Shawnee Cemetery once encompassed several acres, a place of worship, and a council house where voting took place in the very infancy of the State of Kansas. In 1840, the community's first Methodist Church was built next to the cemetery. The cemetery has been reduced during the intervening years, and now only one-half acre of burial ground remains.

The Shawnee Tribe considers the cemetery a sacred place, a Traditional Cultural property. As such, we are committed to protecting the gravesites of our ancestors and to the preservation and conservation of the historical, archeological character of the site. We are working with the City of Shawnee on an application to place the cemetery on the National Register of Historic Places. To many, this one-half-acre located at the end of a dead-end street appears to be just a small, vacant lot or a green space. To us, it is hallowed ground. Therefore, the tribe is uniquely suited to serve as the cemetery's owner, advocate, and caretaker

I urge your support for SB 405, and I will stand for questions at the appropriate time.

