

## ARTICLES OF AGREEMENT

*Made and Concluded at Talequah, in the Indian Territory, on the 19th day of December,  
A. D. 1891, by and between David H. Jerome, Alfred M. Wilson, and Warren  
G. Sayre, Commissioners on the part of the United States, and Elias  
C. Boudinot, Joseph A. Scales, George Downing, Roach  
Young, Thomas Smith, William Triplett, and  
Joseph Smallwood, Commissioners on the  
part of the Cherokee Nation.*

### ARTICLE I.

The Cherokee Nation by act duly passed, shall cede and relinquish all its title, claim, and interest of every kind and character in and to that part of the Indian Territory bounded on the west by the one hundredth degree (100°) of west longitude; on the north by the State of Kansas; on the east by the ninety-sixth degree (96°) of west longitude, and on the south by the Creek Nation, the Territory of Oklahoma, and the Cheyenne and Arapahoe Reservation created or defined by Executive order dated August 10, 1869. The tract of land embraced within the above boundaries containing eight million one hundred and forty-four thousand six hundred and eighty-two and ninety-one one-hundredths (8,144,682.91) acres, more or less.

### ARTICLE II.

For and in consideration of the above cession and relinquishment, the United States agrees:

*First.* That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or acts of Congress, shall be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of 1835, and sections twenty-six and twenty-seven of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation. In such removal no houses, barns, outbuildings, fences, orchards, growing crops, or other chattels real, being attached to the soil and belonging to the Cherokee Nation, the owner of the land, shall be removed, damaged, or destroyed, unless it shall become necessary in order to effect the removal of such trespassers: *Provided, always,* That nothing in this section shall be so construed as to affect in any manner the rights of any persons in the Cherokee Nation under the ninth article of the treaty of July 19, 1866: *And provided further,* That before any intruder or unauthorized person occupying houses, lands, or improvements, which occupancy commenced before the eleventh day of August, Anno Domini eighteen hundred and eighty-six, shall be removed therefrom, upon demand of the principal chief or otherwise, the value of his improvements, as the same shall be appraised by a board of three appraisers, to be appointed by the President of the United States, one of the same upon the recommendation of the principal chief of the Cherokee Nation, for that purpose, shall be paid to him by the Cherokee Nation; and upon such payment such improvements shall become the property of the Cherokee Nation: *Provided,* That the amount so paid for said improvements shall not exceed the sum of two hundred and fifty thousand dollars: *And provided further,* That the appraisers in determining the value of such improvements may consider the value of the use and occupation of the land.

*Second.* That article fifteen (15) of the treaty of July 19, 1866, by and between the United States and the Cherokee Nation, shall be abrogated and held for naught from and after the day that Congress may ratify this agreement providing for such cession and relinquishment of title: *Provided,* That the rights of any person or persons heretofore acquired under and by virtue of said article fifteen shall in no manner, and to no extent whatever, be affected by such abrogation.

*Third.* The United States shall, without delay, render to the Cherokee Nation, through any agent appointed by authority of the national council, a complete account of monies due the Cherokee Nation under any of the treaties ratified in the years 1817, 1819, 1825, 1828, 1833, 1835-6, 1846, 1866, and 1868, and any laws passed by the Congress of the United