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Cherokee Council House Cherokee, North Carolina

JAN 08 2026

Date

Resolution No. 88 (2026)

A resolution to acknowledge the 100th anniversary of the placement of the Qualla Boundary into trust with the United States of America.

WHEREAS, the Eastern Band of Cherokee Indians is a federally recognized Indian Tribe with inherent sovereign powers of self-governance and self-determination; and

WHEREAS, despite the forced Removal of 1838-39, a portion of the Cherokee people lawfully remained in the mountains of Western North Carolina and continued their existence as a distinct Cherokee community, preserving their identity, culture, and political continuity; and

WHEREAS, during the mid-nineteenth century, lands in Western North Carolina were acquired by William Holland Thomas for the benefit of the Cherokee people who remained, because North Carolina law at that time prevented Indians from legally holding title to land in their own name; and

WHEREAS, in 1874 a federal court-appointed board of arbitrators determined that these lands had been purchased and were being held for the benefit of the Eastern Cherokee, thereby recognizing the Tribe as the equitable and beneficial owner of said lands and establishing the legal foundation upon which the United States would thereafter hold and protect these lands for the Tribe consistent with federal Indian trust doctrine as well as set the stage for the formal 1876 Qualla Boundary Survey by M.S. Temple, Deputy United States Surveyor; and

WHEREAS, the Eastern Band of Cherokee Indians continued thereafter to exercise governmental, social, and cultural authority over its members and lands, and sought permanent federal protection to ensure that its lands would remain secure for future generations; and

WHEREAS, on November 6, 1919, Principal Chief Joseph A. Saunooke and Tribal Council approved a Tribal resolution to provide for the perpetual protection of all Tribal lands and property by executing a deed of conveyance to the United States of America, so the Tribe's land and property would be held in trust for the benefit of the Eastern Band of Cherokee Indians; and

WHEREAS, on June 4, 1924, the Congress of the United States enacted legislation (43 Stat. 376) authorizing the Eastern Band of Cherokee Indians to convey its lands, funds, and other property to the United States to be held in trust for the Tribe, and directing the preparation of the official federal roll of Tribal members now known as the Baker roll, thereby formalizing and affirming the federal trust relationship over the Tribe's lands and ensuring that such lands would be federally protected and administered for the benefit of the Tribe and its members; and

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46 **WHEREAS**, on September 21, 1924, Principal Chief Sampson Owl, Vice Chief Loney Toineeta,
47 and Tribal Council, during a Special Council session, authorized the conveyance
48 to the United States of America, in trust, of all land, money, and other property
49 owned by the Eastern Band of Cherokee Indians; and

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51 **WHEREAS**, on July 21, 1925, a Deed of Conveyance between the Eastern Band of Cherokee
52 Indians and the United States of America was entered into and signed by
53 Principal Chief Sampson Owl, Vice Chief Loney Toineeta, Tribal Council
54 Chairman John Wolfe, Tribal Council Clerk W.H. Blythe, and attested by
55 Superintendent and Ex-Officio Secretary of the Eastern Band of Cherokee Indians
56 James E. Henderson; and

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58 **WHEREAS**, on July 30, 1925, the Deed of Conveyance between the Eastern Band of Cherokee
59 Indians and the United States of America, was approved and accepted by John H.
60 Edwards, the Assistant Secretary of the Department of Interior; and

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62 **WHEREAS**, on January 11, 1926, the Deed of Conveyance was recorded in Book 52, Page 352,
63 at the Swain County Register of Deeds, Swain County, North Carolina; and

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65 **WHEREAS**, through these federal actions and consistent with long-standing federal Indian
66 law, the lands of the Eastern Band of Cherokee Indians came to be held in trust
67 by the United States for the benefit of the Tribe, meaning such lands are
68 protected against alienation, are generally exempt from state and local
69 jurisdiction, and form the sovereign and permanent land base of the Eastern Band
70 of Cherokee Indians as the Qualla Boundary and other trust holdings.

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72 **NOW THEREFORE BE IT RESOLVED** by the Tribal Council of the Eastern Band of
73 Cherokee Indians in Council assembled at which a quorum is present that the Tribe hereby
74 acknowledges and commemorates the historic 100th anniversary of the Deed of Conveyance
75 placing the ancestral lands of the Eastern Band of Cherokee Indians IN TRUST with the
76 United States of America on July 30, 1925, and recorded in Swain County, North Carolina
77 Register of Deeds on January 11, 1926; and

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79 **BE IT FURTHER RESOLVED** that the Tribal Council of the Eastern Band of Cherokee
80 Indians hereby authorizes and directs the Secretary of Commerce, in consultation with the
81 Qualla Boundary Historical Society, EBCI Culture and History programs, and other
82 appropriate Tribal entities, to design, produce, and install historically accurate educational
83 storyboards at culturally and strategically significant locations throughout the Qualla
84 Boundary, telling the true history of the Tribe's land tenure, the 1874 arbitration, the 1919-
85 1926 trust conveyance process, and the federal trust relationship that protects Tribal lands for
86 future generations, so that visiting guests may better understand and respect the sovereign
87 history of the Eastern Band of Cherokee Indians; and

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89 **BE IT FURTHER RESOLVED** that the Secretary of Commerce is authorized to seek and
90 utilize available grants, tourism development resources, and other lawful funding sources to
91 implement this initiative, and shall report progress to Tribal Council on a periodic basis; and

93 **BE IT FINALLY RESOLVED** that all resolutions that are inconsistent with this resolution
94 are rescinded, and this resolution shall become effective upon ratification of the Principal Chief.
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96 *Submitted by Venita K. Wolfe Big Cove/Tow String representative, Tribal Council, Nelson Lambert*
97 *Realty Law Clerk, Robin Swayney Qualla Boundary Historical Society President.*