

4-4-1896

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Recommended Citation

H.R. Rep. No. 1113, 54th Cong., 1st Sess. (1896)

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PUBLIC LANDS IN GREER COUNTY, OKLA.

APRIL 4, 1896.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. LACEY, from the Committee on the Public Lands, submitted the following

REPORT:

[To accompany H. R. 7945.]

The Committee on the Public Lands, to whom House bill 7718 was referred, having considered the same, report a substitute therefor and recommend that the substitute do pass.

The necessity for this bill arises out of the formerly disputed boundaries between the State of Texas and the public lands of the United States. This dispute was one of long standing, and grew out of a boundary controversy antedating the admission of Texas into the Union. We do not, in this connection, deem it necessary to detail the matter at much length. If the North Fork of Red River was found to be the proper boundary, Greer County would be a part of the State of Texas; but if the South Fork of Red River should be found to be the true boundary, then the said county would belong to the public domain of the United States.

A commission between the Federal and State Governments attempted to adjust the dispute, but failed.

May 2, 1890, an act of Congress was passed authorizing and directing an original action in the Supreme Court of the United States to determine the true boundary, and in this suit evidence historical and otherwise was submitted to the court, and that court, on the 16th of March, 1896, decided the controversy in favor of the United States. The true boundary was determined to be the south bank of the Prairie Dog Town Fork of Red River.

During these years of controversy, settlers entered upon the land and have improved a considerable part of it. The population is variously estimated, but is probably about 7,500.

These settlers have been in doubt whether they should treat with Texas or the Federal Government for the acquisition of the title to the lands which they have occupied.

Immediately upon the announcement of the decision of the Supreme Court, the President issued a proclamation withdrawing Greer County from settlement, in order that appropriate legislation might be enacted to protect the settlers who were in possession at that time.

Greer County had been organized as a part of the State of Texas, and a full local government was in existence, operating under the laws of Texas.

The county had been attached to a judicial district in that State, and many judgments, civil and criminal, had been entered by the courts.

School houses had been built and several towns laid out in the disputed territory. The settlers expected, in the event that the land should be adjudged to belong to Texas, that they would be compelled to pay the usual price for such State lands, viz, \$1 and \$2 an acre, depending upon its quality, and entered upon possession with that understanding.

A claim for compensation for the Indian title, it is understood, will be asserted by the Chickasaws and Cherokees, of the validity of which claim your committee is not advised.

A bill has already passed the House of Representatives relieving the homestead settlers of Oklahoma from making payment for their lands, and your committee think that the settlers of Greer County should receive the same treatment as the other settlers of the Territory to which they are now allotted.

This bill has accordingly been so framed as to require payment at the price fixed on similar Oklahoma land—\$1 an acre—and also a section has been inserted in the proposed substitute by which, in case of any release or extension of time to the people of Oklahoma, the settlers of Greer County shall receive the benefits.

Your committee have also reported a general free-home bill, which is now upon the calendar, and which, if it should become a law, will relieve the settlers of Greer County from paying for the lands which they may enter under the substitute presented by your committee.

But unless the Oklahoma free-home bill or the general free-home bill should pass, the settlers of Greer County would not have superior equities over the settlers in other counties of Oklahoma, and the proposed bill will put them all upon the same footing.

Your committee also recommend the establishment of a land office at Mangum, in Greer County. Over 1,500,000 acres of land are situated in the county, and the nearest land offices would be Kingfisher and Oklahoma City, over 100 miles away.

Owing to the unsettled situation of titles in Greer County, it is important that early action be had upon the bill.



AMENDMENTS TO H. R. 7945.

APRIL 17, 1896.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. LACEY, from the Committee on the Public Lands, submitted the following

REPORT:

[To accompany H. R. 7945.]

Your committee will offer sundry amendments to the bill now on the Calendar, and report the amendments herewith, and ask a reprint of the bill with said amendments.

The effect of some of the amendments will be to give Greer County homestead settlers the benefit of free homes.

The other amendments proposed are mainly matters of detail, obvious from the amendments themselves.

The committee propose the following amendments:

1. Strike out all of line 12, page 1, after the word "law;" and also all of line 1, page 2, down to the word "at."

2. Strike out of lines 8 and 9, page 2, all after the word "at," in line 8, down to and including the word "entry," in line 9, and insert in lieu thereof the following words: "one dollar an acre in five equal annual payments."

3. Insert after the word "cultivated," in line 13, page 2, the word "purchased."

4. Strike out of line 13, page 2, the following words, "or those under whom he claims."

5. Strike out of lines 1 and 2 of page 3 the following words, "upon like payment of one dollar per acre therefor."

6. Amend line 11, page 3, by striking out the words "during twelve months" and insert in lieu thereof "prior to January first, eighteen hundred and ninety-seven."

7. Amend line 18, page 3, by striking out all after the word "law."

8. Strike out all of section 3.

9. Strike out all of section 4, and insert in lieu thereof the following:

SEC. 3. The inhabitants of any town located in said county shall be entitled to enter the same as a town site under the provisions of sections twenty-three hundred and eighty-eight and twenty-three hundred and eighty-nine of the Revised Statutes of the United States: *Provided*, That all persons who have made or own improvements on any town lots in said county made prior to March sixteenth, eighteen hundred and ninety-six, shall have the preference right to enter said lots under the provisions of this act and of the general town-site laws.

10. On page 4 strike out of section 5, from the beginning down to and including the word "thereof," in line 21, and add the following to the section:

And sections thirteen and thirty-three in each township are reserved for such purposes as the legislature of the future State of Oklahoma may prescribe. That when-

ever any of the lands reserved for school or other purposes under this act, or under the laws of Congress relating to Oklahoma, shall be found to have been occupied by actual settlers, or for town-site purposes, or homestead prior to March sixteenth, eighteen hundred and ninety-six, an equal quantity of indemnity lands may be selected as provided by the laws of the Territory of Oklahoma.

11. Strike out all of section 8, on page 5.

12. Amend line 12 by striking out "Sec. 9" and inserting "Sec. 8."

13. Amend by adding the following after line 15, page 5, "and all laws authorizing commutations of homesteads in the Territory of Oklahoma shall apply to Greer County."

14. Amend line 16, page 5, by striking out "Sec. 10" and inserting "Sec. 9."

