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Where suits to be brought.

SEC. 2. That section two of said Act is amended by adding to the said section two the words "and all civil suits now pending in other divisions of said circuit court for said southern district which, if commenced after the passage hereof, would be brought in said southern division shall, upon the application of either party, be removed for trial, judgment, or decree to said southern division."

Approved, January 14, 1901.

January 15, 1901.

CHAP. 75.—An Act To provide for the establishment of the intersection of the true one hundredth meridian with Red River, to ascertain the amount of taxes collected by the State of Texas in what was formerly known as Greer County and the expenditures made on account of said county by said State, and for other purposes.

Greer County, Tex. Preamble.

Whereas there was a controversy of long standing between the United States and the State of Texas as to the ownership of the territory formerly known as Greer County, Texas, which was finally determined in favor of the United States by decree of the Supreme Court of the United States, March sixteenth, eighteen hundred and ninety-six, in a suit in equity brought by the United States against the State of Texas in that court; and

Whereas the treaty between the United States and Spain which was ratified February nineteenth, eighteen hundred and twenty-one, fixed the boundary between the United States and Spain, and this became the boundary between the United States and the Republic of Texas and the State of Texas, successively; and

Whereas it was provided by said treaty that the boundary line "west of the Mississippi shall begin on the Gulf of Mexico, at the mouth of the river Sabine, in the sea, continuing north along the western bank of that river to the thirty-second degree of latitude; thence by a line due north to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red River; then following the course of the Rio Roxo westward to the degree of longitude one hundred west from London and twenty-three from Washington; then crossing the said Red River and running thence by a line due north to the river Arkansas, and so forth;" and

Whereas the Supreme Court of the United States in said cause adjudged that the words of said treaty "then following the course of the Rio Roxo westward to the degree of longitude one hundred west from London and twenty-three from Washington; then crossing the said Red River," referred to the true one hundredth meridian astronomically located; and

Whereas the true intersection of said one hundredth meridian with Red River, or what, prior to said decision, was known sometime as the South Fork of Red River, or Prairie Dog Town Fork, has never been fixed by the United States and the State of Texas, acting together and in the manner provided by said treaty, nor was said true intersection fixed by the decree in said cause; and

Whereas the said territory formerly known as Greer County was formed into a county in eighteen hundred and sixty, and duly organized as a county in eighteen hundred and eighty-six, under the laws of the State of Texas, and continued as such organized county until the decree aforesaid, with all the rights, duties, powers, and privileges of an organized county of said State; and

Whereas during the period of time the State of Texas claimed ownership of and exercised jurisdiction over said territory the said State of Texas patented lands situated in other parts of the State to said Greer County, as one of the counties within the jurisdiction thereof, for school purposes, and which lands said Greer County used and alienated and appropriated the proceeds thereof exclusively for school purposes within its limits; and

Whereas during the period of time the State of Texas claimed ownership of and exercised jurisdiction over said territory the said State of Texas collected taxes from inhabitants of said territory and upon lands and other property situated therein, and expended money for school purposes, the enforcement of law and order, the care of the deaf, dumb, blind, and insane, and generally for the protection of life, liberty, and property therein and the establishment and maintenance of a government for the inhabitants thereof; and

Whereas the Supreme Court of the United States, in the opinion in said cause, entitled The United States against The State of Texas (162 U. S., 1, 89–90), said: "It is further said that the State, since it assumed to create Greer County, has expended a large amount of money in providing a public-school system for the inhabitants of that locality. To what extent moneys have been so expended is not clearly shown. Whatever may be the facts touching this point, we do not feel at liberty to give weight to them in this case. The question before us, we repeat, is one of law, and must be determined according to law. What may be fairly and justly demanded by the State on account of moneys expended for the benefit of the inhabitants of the disputed territory is a matter for the consideration of the legislative branch of the National Government.

"In the argument it was suggested that this court ought not to forget how much was added to the power and wealth of this Nation when Texas, with its imperial domain, came into the Union and her people became a part of the political community for whom the Constitution of the United States was ordained and established. This fact can not, of course, be forgotten by any American who takes pride in the prestige and greatness of the Republic. But the considerations which it suggests can not affect the decision of legal questions, and must be addressed to another branch of the Government. The supposition is not to be indulged that that department of the Government will fail to recognize any duty imposed upon it by the circumstances arising out of this vexed controversy:" Therefore,

Establishment of intersection of true one hundredth meridian with Red River, etc., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be established and fixed the intersection of the true one hundredth meridian with Red River, or what, prior to said decision, was known sometime as the South Fork of Red River, or Prairie Dog Town Fork, by the most accurate and scientific methods, and at said intersection cause a suitable monument to be erected on the ground.

Inquiry directed.

SEC. 2. That the Secretary of the Interior is also authorized and directed to inquire and ascertain what lands, if any, the State of Texas has patented to the said Greer County for school purposes; in whom title to said lands is now vested; whether said lands were alienated by said Greer County, and if so, the price paid therefor and what disposition was made thereof; and the present market value of said lands; and to ascertain the sum received from sale, if any of any public lands, sold or disposed of, in Greer County, by the State of Texas and the present value of such lands.

—as to disposition, etc., of public lands patented to Greer Co., for school purposes.

—taxes collected.

SEC. 3. That the Secretary of the Interior is also authorized and directed to inquire and ascertain, first, the total taxes collected by the State of Texas for any and all purposes from inhabitants of Greer County, or upon lands or other property located therein, from eighteen hundred and sixty to eighteen hundred and ninety-six; second, the total amount paid by the State of Texas to said Greer County, or its officers or agents, for school purposes, other than lands, from eighteen hundred and sixty to eighteen hundred and ninety-six, and the disposition made thereof by said county; and, third, the total of all other expenses incurred by the State of Texas from eighteen hundred

—amount paid by State to county for school purposes.

—other expenses incurred by State.

and sixty to eighteen hundred and ninety-six in the enforcement of law and order, the care of the deaf, dumb, blind, and insane, and generally for the protection of life, liberty, and property in said county, and the establishment and maintenance of a government for the inhabitants thereof, or a fair estimate of the same.

Employees.

SEC. 4. That to enable him to execute the provisions of this Act the Secretary of the Interior is authorized to employ such persons and adopt such measures as to him may seem proper and necessary. He is also authorized to receive and consider duly certified copies of patents, deeds, conveyances, transcripts of court records, and certificates from any department of the Government of the United States or the State of Texas, under the seal thereof as to official records therein. He may also receive and consider depositions of witnesses, and in such cases the United States shall be represented by the Attorney-General thereof, or some person designated by him, and the State of Texas shall be represented by the attorney-general thereof, or some person designated by him; and these officials may appear and represent their respective governments before the Secretary of the Interior in all other matters provided for by this Act. He may also receive and consider any testimony taken by either party in said cause entitled The United States against The State of Texas, in the Supreme Court of the United States, reported in One hundred and sixty-second United States, page one, and may receive and consider any testimony which he may consider to be pertinent to the subject of such inquiry.

Testimony, etc.

Expenses of inquiry.

SEC. 5. That the sum of seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Interior to properly care for the interests of the United States in making such investigation and in carrying out the purposes of this Act; and he shall report in detail to the Congress at the next session, or as soon thereafter as may be practicable: *Provided*, That the State of Texas shall defray the expenses of presenting its own case and claims.

Approved, January 15, 1901.

CHAP. 92.—An Act To provide for the holding of the circuit and district courts of the United States for the eastern district of Arkansas.

January 16, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regular terms of the circuit and district courts for the eastern district of Arkansas shall be held at the times and places as follows, to wit:

Arkansas eastern judicial district. Terms of court.

For the western division, at Little Rock on the first Monday in April and the third Monday in October;

For the eastern division, at Helena on the second Mondays in March and October;

For the northern division, at Batesville on the fourth Monday in May and the second Monday in December.

SEC. 2. That this Act shall take effect and be in force from and after its passage.

Approved, January 16, 1901.

CHAP. 93.—An Act Making an apportionment of Representatives in Congress among the several States under the Twelfth Census.

January 16, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the third day of March, nineteen hundred and three, the House of Representatives

House of Representatives to consist of 386 members.