



PRESERVATION NEWS

Newsletter of the Wichita County Historical Commission

Volume LI

Robert Palmer, Chairman

June 5th, 2014

Wichita County Archives

720 Indiana Avenue

Wichita Falls, Texas 76301

Hours of Operation: Tuesday, Wednesday and Thursday 10:00am - 12:00pm & 1:00pm - 4:00pm

Telephone 940-763-0020

E-mail Address - archives@co.wichita.tx.us

AGENDA FOR MEETING

Lunch at 11:30am Meeting 12:00 Noon - 1:00pm

1. Call to Order 2. Introduction of Guests 3. Business 4. Program 5. Adjourn

Monthly Meeting: Location: **The Country Club**. Price for the luncheon is **\$17.00 each** which includes: salads, main course, vegetables, drink & dessert. Please bring the correct change.

Reservations: Call the **Archives (763-0020)** and leave your name and number of reservations on the voice mail up thru Wednesday prior to the meeting. Call the Archives Wednesday (763-0020 or 322-7628) if you have a change of plans.

PROGRAM

Lindsay Greer, Director

Convention & Visitors Bureau City of Wichita Falls

From the Desk of Robert Palmer -

The now ongoing dispute between The Bureau of Land Management and landowners along The Red River has a very long history. The Louisiana Purchase was the key event, but was not, as some people think, the defining event. It was the basis for much of the dispute that has ensued.

The Louisiana Purchase was the acquisition by The United States in 1803 of 828,000 square miles of Frances' claim to the territory known as Louisiana. The U.S. paid 50 million francs and cancelled 18 million in debts, a cost of around 4 cents per acre. France had controlled this vast area from 1699 to 1762. That year it gave the territory to its then ally Spain. Napoleon Bonaparte took the territory back in 1800. In 1803, France faced impending war with Great Britain and then sold the land to The United States. Countries change boundaries two ways: by conquest and by treaty. The Louisiana Purchase was a treaty. Under The U.S. Constitution, the president has the power to negotiate treaties. Thomas Jefferson did just that. The senate and house soon ratified the treaty. The boundaries were very unclear. The first treaty between France and Spain in 1762 did not clearly define the boundaries. The 1800 treaty did nothing to clear it up, nor did the 1803 treaty between the U.S. and France.

Jefferson sent three expeditions to try to define the boundaries: The Lewis and Clark, The Pike, and The Red River Expedition. Maps were made, but no clear line was established. That all changed in 1819.

The Adams-Onis Treaty of 1819 is by far the key document in the dispute. It is also known as The Transcontinental Treaty and The Purchase of Florida Treaty. It was a treaty between the U.S. and Spain that gave Florida to the U.S. and, most importantly, set a boundary between the U.S. and New Spain [now Mexico]. It settled a long standing dispute as to where the boundary actually was. The section involving The Red River said the

boundary would travel west "along" The Red River. The specifics describe "along" in more detail.

The U.S. Supreme Court in *Oklahoma v Texas*, 260 U.S. 606 [1923] used The Treaty of 1819 as its determining fact. Briefly stated, it said, in part, "The boundary line between the states of Texas and Oklahoma along the Red River, as determined by The Treaty of 1819 between The United States and Spain, is along the southern bank of the stream." Then it gets more complicated. It further states, "There is a material difference between taking the bank of a river as a boundary and taking the river itself." There are further clarifications. Some of the phrases state, "bank...is the water washed and relatively permanent elevation...; The boundary intended is...the average or mean level attained by the waters; The bed includes all of the area which is kept practically bare of vegetation by the wash of the waters from year to year. In its concluding statement, it states, "The Court finds that the boundary should be located along the southerly of the two water-worn banks designated as "the cut banks" which separate almost uniformly the sand bed of the river from land in its valley. There is much more and someone desiring to fully understand the situation has many, many pages to read.

Another complicating factor is the involvement not just of land ownership and residence, but, also of, tribal affiliation. The Red River Boundary Compact of 1991 declares the vegetation line of the south bank as the northern boundary of Texas, but also addresses that land between the south bank and the meridian line of the river belongs to the Kiowa, Comanche, and Apache tribes and is held in trust by the Federal Government.

It is a very complicated situation. The historical facts are not always clearly discerned and open to much discussion.

Question of the month

Who was Sheppard Air Force Base named for?

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News Items

REMEMBER - NO MEETING IN JULY

Proposed Mission Statements

The Wichita County Historical Commission promotes an interest in county history by researching and dedicating historical markers, preserving history in the WC archives, and educating the public.

The mission of the Wichita County Archives is to collect, preserve and catalogue paper items relevant to the history of Wichita County and make them available to the public.

The Supreme Court of the United States named Frederick A. Delano as Receiver in the Red River Boundary Case (Oklahoma versus Texas) in April 1920. He served in that capacity until the Court issued its final decree on June 1st, 1925.



These photos are from the collection of Red River scenes in Delano's scrapbook. He was an uncle of FDR.