

# Exhibit 18

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in the case of:

**People of the Republic of Texas  
and the  
Sovereign Nation of the Republic of Texas**

**v.**

**UNITED NATIONS  
(and all it's Political Subdivisions)  
and  
UNITED STATES  
(and all it's Political Subdivisions)**

**Under Pains and Penalties of perjury and the laws of the Almighty, and being sworn under a vow and oath, I attest that the attached pages are true and correct representations of:**

**The Neutral Ground Agreement - October 29 and November 4, 1806, from: Ernest Wallace, David M. Vigness, and George B Ward, *Documents of Texas History*, (State House Press, Texas, 1994).**

**This attestation is made on August 18, 1998.**

*Attest: Sam Sarge*  
\_\_\_\_\_

*D. R. West*  
\_\_\_\_\_  
***Witness to source and above signature***

*E. L. Brannum*  
\_\_\_\_\_  
***Witness to above signatures***

## 17. THE NEUTRAL GROUND AGREEMENT

October 29 and November 4, 1806

From the correspondence of General James Wilkinson to Governor Anthony [Antonio] Cordero [y Bustamante], October 29, 1806, and General Symon de Herrera to General James Wilkinson, November 4, 1806 (MSS, United States War Department Records, W-211, WD-3, National Archives, Washington).

No agreement on a boundary between Texas and Louisiana had been reached when Napoleon in 1803 sold Louisiana "with the same extent that it now has in the hands of Spain, and that it had when France possessed it" to the United States. President Thomas Jefferson asserted that Texas was a part of the purchase, but Spain protested the transaction and sent troops to the border for the purpose of maintaining her jurisdiction at least to the Arroyo Hondo, a small stream between the Sabine River and Natchitoches marking the eastern limit of Spanish occupation. To avoid an armed clash, General James Wilkinson, in command of United States forces in the West, agreed to occupy the territory no farther west than the Arroyo Hondo, and General Simón de Herrera, in command of the Spanish forces, agreed to remain west of the Sabine River, until their respective governments negotiated a permanent boundary settlement or issued further instructions. The land between the Arroyo Hondo and the Sabine River, sheltering lawless elements from both Spanish and American possessions, came to be known as the Neutral Ground. General Wilkinson's proposal to establish the Neutral Ground and General Herrera's acceptance (written in English) follow.

### 1. JAMES WILKINSON TO GOVERNOR ANTHONY [ANTONIO] CORDERO [Y BUSTAMENTE]

Octr. 29th, 1806

Sir, . . . In my letter to your Excellency the 24th ultimo, . . . I emphatically remarked to your Excellency, "that the ultimate decision of the competent authority had been taken, that my orders were absolute, and my determination first to assert and, under God, to sustain the jurisdiction of the United States to the Sabine River, against any force which may be opposed to me." . . .

Your Excellency appears to lay much stress on the letter of the Captain General Salcedo [Don Nemeccio Salcedo, commandant-general of the Interior Provinces] to Governor [William] Claiborne [Governor of Louisiana Territory], but as that letter treats generally on subjects of civil import, and as my functions are purely

Military, it does not fall within my province to take particular cognizance of it. I will however beg leave to observe that His Excellency's exposition of the grounds on which he asserts the Arroyo Honda [sic] to be the line of provincial demarcation, carries with it an air of much plausibility, but being diametrically opposed to the sense of Expression of my Government, I cannot respect it; . . .

Your Excellency is sensible to the extreme delicacy with which a Military man may exercise his discretion, when shackled by specific orders, yet such instances have occurred even on the field of Battle, and must frequently become necessary, where operations are at issue a thousand miles from the source of authority. Believing that the controversy in which we are engaged presents a case precisely in point, I am willing to risque the approbations of my Government to perpetuate the tranquility of the inhospitable wilds, where waving the point of Honor, the subject of our test is scarcely worth the blood of one brave man.

Permit me then in the true spirit of conciliation to propose to your Excellency, without yielding a Pretension, ceding a right, or interfering with the discussions which, belong to our superiours, to restore the "Status quo" at the delivery of the Province of Louisiana [sic] to the United States, by the withdrawal of our troops from the points they at present occupy to the post of Nacogdoches and Natchitoches respectively; your Excellency's assent to this proposition shall be conclusive on my conduct, and I will commence my retrograde, on the day you break up your Camp on the right bank of the Sabine; under the joint stipulation that the troops of my Command shall not cross the Arroyo Honda, so long as those under your orders are restrained from crossing the Sabine, or until we may receive further instruction from our respective Governments. . . .

I pray God to keep your Excellency in his Holy protection an Hundred Years. I am yr

James Wilkinson

His Excel.

Governor Cordero  
Commander in-chief

2. SYMON DE HERRERA TO JAMES WILKINSON

Nov. 4th, 1806

Sir. Lieutenant Huguen, Aid de Camp to Y. E. delivered to me yesterday your favorable letter of same day, and another sealed for Colonel Anthony Cordero, Y. E.'s goodness having also sent me the Copy of the contents relative to Y. E., having determined to retire with the troops of Y. E.'s orders to the quarters of Natchitoches; Demanding that whilst Spain and the U. S. settle the differences suscitated on the property of the land 'till this River of Sabinas, H. M.'s troop do not cross it, and that those of the U.S. will not come further than Arroyo hondo.

Your E. manifesting by these operations, the peaceful ideas that posseses you, I wishes to conserve the reciprocal good Harmony that is to exist between the two Nations, these proceedings oblige me to retire also to Nacogdoches those troops that I have the honor to Command, leaving them the Order not to cross the River.

That in this point nor in any other that may occur henceforth, there may be no motives of disgust [regret], passes to that camp the Adjutant Inspector Francis Viana, second commander of these troops, in order to agree with Y. E. and on his return I will remit to the Colonel Anthony Cordero Y. E.'s letter.

I am happy of this occasion to offer my respects to Y. E. praying to the Almighty to conserve Y. E.'s life. Sabinas 4th Nov. 1806

(Signed), Symon de Herrera

The day after tomorrow 6th Inst. I will leave this camp, with the first divition [sic] of troops under my Command, of which I give Y. E. notice

(Signed), Herrera

To His Excellency James Wilkinson