

# Exhibit 43

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in the case of:

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

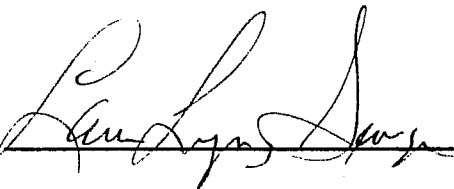
**v.**


**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 Resolution Calling For The Convention Of March 1, 1836, December 10, 1835, 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 10, 1998.**

**Attest:** 

  
**Witness to scan and above signature**

  
**Witness to above signatures**

## 41. THE RESOLUTION CALLING FOR THE CONVENTION OF MARCH 1, 1836

December 10, 1835

*From Ordinances and Decrees of the Consultation, Provisional Government of Texas and the Convention, Which Assembled at Washington March 1, 1836 (By Order of the Secretary of State; Houston, 1838), 76-78.*

Having created a provisional government (a governor, a lieutenant governor, and a council composed of one member from each municipality), the Consultation adjourned on November 14, 1835, until March 1 unless the Council called it into session sooner or ordered an election for new delegates. Since sentiment for independence was crystallizing, however, the Council on December 10 passed a resolution calling for the election on February 1 of delegates to convene on March 1 at Washington to form a new government, on condition that there would be a referendum on any proposed constitution. The resolution, which follows, is significant because of its recognition of the need for a new government that would reflect the changing attitude toward independence, and because of its assertion of the right of revolution.

By the laws of Creation and Nature, all men are free and equal, of these natural rights no man can be forcibly deprived of the principles of immutable justice: a desire for domination and power in man over his fellowman, subjects the weak and unambitious to the machinations of the more subtle and strong — to avoid such evils social compacts or Governments are formed for mutual and individual protection:— to this end each member of a community surrenders certain of his natural rights for common security; — thus, of necessity, all the legitimate powers of any Government are immediately derived from the governed. The people are sovereign, and all the officers designated for the execution of their civil compact are agents and accountable for their fidelity:— when such agents assume the character of principals or dictators, and attempt of their own will to subvert the form and true principles of the Governmental Compact and substitute another without the consent of the people [resistance] is necessary and a virtue: in this situation are the citizens of Texas and a considerable portion of the Mexican Republic of which Texas is a part— resistance is, therefore, a duty. The protection of our liberties— one natural and reserved right to make it so:— arms are the resort, and in arms the people will find their only security from the oppression of ambitious tyrants, whose chains are forged to manacle our citizens and subdue them to their will: courage and bravery in resistance, and prudence in council will restore to us the natural sovereignty of all Governments: — one civil compact or constitution is destroyed and another must be formed to guarantee the purposes and ends of political associations: a Provisional or temporary Government, however wisely formed or prudently administered, is at best uncertain and insecure— permanency and strength should be the basis of all Governments— therefore,

*Be it resolved*, That in virtue of the powers vested in the "Provisional Government of Texas" by the Representatives of the people in convention assembled, and it is hereby *resolved*, by the General Council of the Provisional Government aforesaid, that a Convention of

Delegates of the people for each Municipality of the three departments of Texas shall be called, to assemble on the first day of March next, at the town of Washington.

Sec. 2. *Be it further resolved*, That the Delegates elected by the people clothed with ample, unlimited, or plenary powers as to the form of government to be adopted: *provided*, that no Constitution formed shall go into effect, until the same be submitted to the people and confirmed by a majority thereof, in such manner as shall be prescribed by a provision in such instrument.

Sec. 3. *Be it further resolved*, That the acting Judge, or in case there be no acting Judge, the Alcalde of each Municipality be required, and it is hereby made his duty to issue writs of election to some competent and respectable citizen of each election district, to hold the election in the said district on the first day of February, 1836, to be conducted in the same manner that elections have heretofore been conducted— allowing all free white males and Mexicans opposed to a Central Government a vote: *provided*, that no proxy votes shall be received— excepting, nevertheless, all the Citizen Volunteers in the Army, each of whom shall have a right to his vote, which he shall write upon paper over his own signature, and send to the Judge or Alcalde of his respective Municipality, to be received on or before the day of the election aforesaid; also *provided*, that the said Judge or Alcalde shall appoint the several places for holding said elections; of which time and place for holding the same, reasonable notice shall be given in the best manner for informing the people thereof; and duplicate returns of each election shall be made to the Judge or Alcalde aforesaid, one of which shall be filed on the archives of his office, the other to be presented at the Convention as evidence of the election of the members.

Sec. 4. *Be it further resolved*, That with a view to as just an equalization of representatives as can be at present determined, that the Municipality of Austin shall elect three delegates, Brazoria four, Washington four, Mina three, Gonzales two, Viesca two, Harrisburg two, Jasper two, Matagorda two, Jackson two, Teneshaw two, Jefferson two, Refugio two, Goliad two, San Patricio two, Bexar four, Guadalupe Victoria two, and the citizens of Pecan Point two.

Sec. 5. *Be it further resolved*, That the Governor shall, and it is hereby made his duty, as soon as may be, to issue his proclamation for carrying into effect the preceding Resolutions.

Passed at San Felipe de Austin, Dec. 10, 1835. . . .

This was vetoed by the Governor but it passed by a constitutional majority on the 13th December, 1835.

HENRY SMITH, Governor