

# Exhibit 59a

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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:**

**US. Department of the Interior response -  
Related to treaty with Houma Indians - February  
1990, from the Republic of Texas General  
Council.**

**This attestation is made on August 26, 1998.**

*Attest:* *E.L. Brannum*

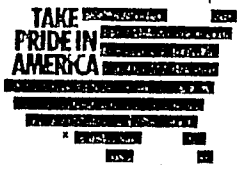
*Coolidge Leides*  
*Witness to source and above signature*

*D.A. West*  
*Witness to above signatures*



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WASHINGTON, D.C. 20245



IN REPLY REFER TO:

Real Estate Services  
Titles and Research  
BCCO 1908

FEB 21 1990

Honorable Lloyd Bentsen  
United States Senator  
961 Federal Building  
Austin, Texas 78701

Dear Senator Bentsen:

Thank you for your letter of January 16 on behalf of Mr. Patrick H. B. Martinez requesting help and support in protecting his purported rights to certain real property in Louisiana.

Mr. Martinez advises that he is a Houma Indian and a descendant of Jean Billot (or Billiot), Jr., the original claimant and recipient of a Federal patent (No. 1235629) to Lots 1 and 2, Section 30, Township 19 South, Range 19 East, Louisiana Meridian, Louisiana, consisting of 165.59 acres. These lands were patented to Jean Billot, Jr., pursuant to the Act of March 3, 1807, 2 Stat. 440, "An Act respecting claims to land in the territories of Orleans and Louisiana." See attached copy. Section 6 of this Act reads as follows:

"Sec. 6. And be it further enacted, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, shall respectively transmit to the Secretary of the Treasury and to the surveyor-general, or officer acting as surveyor-general, transcripts of the final decisions made in favour of claimants by virtue of this act, and they shall deliver to the party a certificate stating the circumstances of the case, and that he is entitled to a patent for the tract of land therein designated, which certificate shall be filed with the proper register or recorder, within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated, being previously filed with him or transmitted to him by the officer acting as surveyor-general in the manner herein after provided.) issue a certificate in favour of the party, which certificate being transmitted to the Secretary of the Treasury, shall entitle the party to a patent, to be issued in like manner as is provided by law for the

issuing of patents for public lands lying in other territories of the United States."

The 1807 Act provides for the issuing of patents under the public land laws of the United States, and imposes no Federal trust obligations or special restrictions upon the lands so patented where the claimants or patentees were Houma Indians. In fact, no specific reference to Indians appears anywhere in the Act. The Bureau of Indian Affairs is, therefore, without authority to exercise any trust responsibilities for any patentees, or their heirs, because of their status as Indians. Once a patent was issued pursuant to the 1807 Act, the land became subject to State laws governing real property.

We regret that we are unable to be of assistance to Mr. Martinez. We suggest that he consider obtaining private legal counsel in resolving title problems associated with the subject land.

As a result of a telephone inquiry and request from the office of Congressman Pete Geren concerning the same issue, we are furnishing a copy of this response to his office. If you have further questions or are in need of additional information, please do not hesitate to call upon us.

Sincerely,

**PATRICK A. HAYES**

Deputy to the Assistant Secretary -  
Indian Affairs (Trust and Economic  
Development)

Enclosure

18 Stat. 6:  
Chap. 223

June 6, 1874.

CHAP. 222.—An act to change the name of the schooner-yacht "Quarantine," to "Welcome."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to change the name of the schooner-yacht "Quarantine," owned by Michael J. Driscoll, of Boston, and to issue a register under the name of "Welcome."  
Approved, June 6, 1874.

Certain lands in Missouri released to owners of equitable titles.

June 6, 1874.

CHAP. 223.—An act obviating the necessity of issuing patents for certain private land-claims in the State of Missouri, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the right, title, and interest of the United States in and to all of the lands in the State of Missouri which have at any time heretofore been confirmed to any person or persons by any act of Congress, or by any officer or officers, or board or boards of commissioners, acting under and by authority of any act of Congress, shall be, and the same are hereby, granted, released, and relinquished by the United States, in fee-simple, to the respective owners of the equitable titles thereto, and to their respective heirs and assigns forever, as fully and as completely, in every respect whatever, as could be done by patents issued therefor according to law.

Valid rights and interests affected.

SEC. 2. That nothing contained in the first section of this act shall, in any manner, abridge, divest, impair, injure or prejudice any valid right, title or interest of any person or persons in or to any portion or part of the lands mentioned in said first section; and this act shall in no wise affect any lands or interests heretofore relinquished to the United States.

Secretary of Interior may discontinue office of recorder of land titles in Missouri.

SEC. 3. That whenever the Secretary of the Interior shall be of the opinion that the public interest no longer requires the continuance of the office of recorder of land titles in Missouri, he may close and discontinue the same; and all of the records, maps, plats, field-notes, books, papers, and everything else concerning, pertaining, or belonging to said office of recorder, shall be delivered to the State of Missouri: *Provided,* however, That said State shall provide by law for the reception and safe-keeping of said records, maps, plats, field-notes, books, papers, and everything else belonging to said office of recorder, as public records, and for the allowance of free access to the same by the authorities of the United States, for the purpose of taking extracts therefrom, or making copies thereof, without charge of any kind: *And provided further,* That when said office of recorder shall be closed and discontinued as aforesaid, the Commissioner of the General Land-Office shall forever thereafter possess and exercise all of the powers and authority and perform all the duties of said recorder.

Records, maps &c., to be delivered to State authorities. State to provide for safe-keeping &c. Free access to authorities of United States.

Commissioner of General Land-Office to exercise power of recorder.

Approved, June 6, 1874.

June 6, 1874.

CHAP. 224.—An act to legalize and establish a pontoon-railway-bridge across the Mississippi River at Prairie du Chien, and to authorize the construction of a similar bridge at or near Clinton, Iowa.

Railway-pontoon-bridge across the Mississippi River at Prairie du Chien legalized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the railway pontoon bridge across the Mississippi River, and an island therein, communicating with the Milwaukee and Saint Paul railway at Prairie du Chien, in the State of Wisconsin, and the Milwaukee and Saint Paul railway at North McGregor, in the State of Iowa, be, and is hereby, legalized and declared a lawful structure: *Provided,* That the said John Lawler and the said Prairie du Chien and McGregor Railway Company, their successors and assigns, shall keep up and maintain a suitable pontoon draw of not less than three hundred and ninety-six feet in length in the east-

Draws to be maintained.

REPRODUCED AT THE NATIONAL ARCHIVES

said corporation shall within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid: *Provided also*, that the corporation shall reserve for the purpose, and convey gratuitously for the public benefit, to the company authorized by the legislature of the territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall for ever remain open as a public highway: *And provided also*, that nothing herein contained, shall be construed to affect or impair the rights of any individual or individuals to the said commons, which are derived from any grant of the French or Spanish government.

Release to be made by the corporation. Proviso.

Nothing herein to impair rights under the French or Spanish government.

Claims to be decided according to the usages and customs of the French and Spanish governments, in certain cases.

**Sec. 4.** *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming land in the territories of Orleans and Louisiana, shall have full powers to decide according to the laws and established usages and customs of the French and Spanish governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were on the twentieth of December, one thousand eight hundred and three, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square, and which does not include either a lead mine or salt spring, which decision of the commissioners when in favour of the claimant shall be final, against the United States, any act of Congress to the contrary notwithstanding.

Time fixed for delivering notices of claims, extended.

Persons barred who neglect giving notices, &c.

**Sec. 5.** *And be it further enacted*, That the time fixed by the act above mentioned, and by the acts supplementary to the same, for delivering to the proper register or recorder, notices in writing and the written evidences of claims to land, be, and the same is hereby extended, for the territories of Orleans and Louisiana, till the first day of July, one thousand eight hundred and eight, and persons delivering such notices and evidences shall be entitled to the same benefit as if the same had been delivered within the time limited by the former acts; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of law or equity whatever.

Certificates of final decision to be transmitted to surveyor-general and Secretary of the Treasury.

Patents to issue upon those transmitted to the Secretary of the Treasury.

**Sec. 6.** *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, shall respectively transmit to the Secretary of the Treasury and to the surveyor-general, or officer acting as surveyor-general, transcripts of the final decisions made in favour of claimants by virtue of this act, and they shall deliver to the party a certificate stating the circumstances of the case, and that he is entitled to a patent for the tract of land therein designated, which certificate shall be filed with the proper register or recorder, within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated, being previously filed with him or transmitted to him by the officer acting as surveyor-general in the manner herein after provided,) issue a certificate in favour of the party, which certificate being transmitted to the Secretary of the Treasury, shall entitle the party to a patent, to be issued in like manner as is provided by law for the issuing of patents for public lands lying in other territories of the United States.

**Sec. 7.** *And be it further enacted*, That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties, under the direction of the surveyor-general, or officer acting as surveyor-

Tracts of land thus granted to be surveyed at expense

of the parties, unless an accurate and authentic survey, made under authority of former governments of Orleans and Louisiana, shall have been filed, &c.

Commissioners authorized to direct re-surveys.

Surveyor-general to transmit general and particular plats to Secretary of the Treasury, &c.

Reports of undecided claims to be regularly transmitted by commissioners to Secretary of the Treasury.

Arrangement of claims.

Allowances and compensations.

Provided.

general, in all cases where an authenticated plat of land as surveyed under the authority of the officer acting as surveyor-general under the French, Spanish, or American governments respectively, during the time either of the said governments had the actual possession of the said territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said territories of Orleans and Louisiana. The said commissioners shall also be authorized, whenever they may think it necessary, to direct the surveyor-general, or officer acting as such, to cause any tract of land already duly surveyed, to be re-surveyed at the expense of the United States. And the surveyor-general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed, to the proper register or recorder, and shall also transmit copies of the said plats to the Secretary of the Treasury.

Sec. 8. *And be it further enacted*, That the commissioners aforesaid shall respectively report to the Secretary of the Treasury their opinion on all the claims to land within their respective districts, which they shall not have finally confirmed by the fourth section of this act. The claims shall, in the said report or reports, be arranged into three general classes, that is to say: first, claims which, in the opinions of the commissioners, ought to be confirmed in conformity with the provisions of the several acts of Congress, for ascertaining and adjusting the titles and claims to land within the territories of Orleans and Louisiana; secondly, claims which, though not embraced by the provisions of the said acts, ought nevertheless in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish government; thirdly, claims which neither are embraced by the provisions of the said acts, nor ought in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish government; and the said report and reports being in other respects made in conformity with the forms prescribed according to law, by the Secretary of the Treasury, shall by him be laid before Congress, for their final determination thereon, in the manner and at the time heretofore prescribed by law for that purpose.

Sec. 9. *And be it further enacted*, That the following allowances and compensations shall be made to the several officers herein after mentioned, that is to say, to the principal deputy of the surveyor-general, for the district of Louisiana, at the rate of five hundred dollars a year, from the time he entered into the duties of his office, in addition to the fees which he is entitled to receive by law. To the register of the western district of the Orleans territory, and to the clerk of the board of commissioners for that district, one thousand dollars each, for their services as commissioners and clerk respectively, during the year one thousand eight hundred and six. To each of the deputy registers of the territory of Orleans, five hundred dollars in full, for their services subsequent to the first day of January last, in addition to the fees to which they are legally entitled. To each of the commissioners at the rate of two thousand dollars a year; to each of the clerks of the boards, and to each of the agents employed by the Secretary of the Treasury, at the rate of fifteen hundred dollars a year, and to each of the translators, at the rate of six hundred dollars a year, to commence from the first day of July next, in the district of Louisiana, and from the first day of January next, in the territory of Orleans, and to continue to the time when each board shall be respectively dissolved: *Provided*, that no more than eighteen months' compensation be thus allowed to the said commissioners, clerks, and translators, and that the compensation of any such officer absenting himself from his district, or failing to attend to the duties of his office, shall cease during such absence or failure.

Approved, March 3, 1807.



DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
EASTERN STATES OFFICE  
150 South Pickett Street  
ALEXANDRIA, VIRGINIA 22304

IN REPLY REFER TO:

2000(962)KDP

APR 25 RECD

APR 23 1990

Honorable Pete Geren  
House of Representatives  
Washington, D.C. 20515-4312

Dear Mr. Geren:

This responds to your request on behalf of P.H.B. Martinez concerning his claim on behalf of descendants of the Houma Indians to certain lands in the State of Louisiana. This office has been corresponding with Mr. Martinez for a number of years.

The Eastern States Office, Bureau of Land Management, maintains custody of the primary records which evidence disposal by the United States of the public lands in Louisiana, as well as twelve other eastern states. As the custodian of these records, this office is obligated to make them available to the public. During our contact with Mr. Martinez, we have provided him with copies of records, assisted him in interpreting records when appropriate, and recommended collateral sources of records at the State and local level, as well as in the National Archives.

Other than providing historical records, this agency's authority to resolve current title disputes is restricted to situations which involve lands to which the United States is asserting some property interest. Mr. Martinez' claims involve lands which left Federal ownership more than a century ago. In some cases, the lands may even have been in private ownership prior to U.S. sovereignty.

The acquisition of lands from the Houma Indians in Louisiana is steeped in many of the same controversies which surround acquisition of other tribal lands in the east. Questions arise as to fairness of purchase prices, authority of individuals to cede Indian title, and general legality of transactions. Unless the Bureau of Indian Affairs has some trust obligation (apparently not the case here), these issues unfortunately must be resolved in the courts.





General Land Office 08243

A-1040-R

**The United States of America,**

To all to whom these presents shall come, Greeting:

WHEREAS, There has been deposited in the General Land Office of the United States, evidence, whereby it appears that the private land claim of J. F. Martinez, embraced in Senate Executive Document No. 111 (46th Congress, 2nd Session), was confirmed by the Act of Congress approved February 10, 1897 (29 Stat. 517), entitled "An Act to quiet title and possession with respect to certain unconfirmed and located private land claims in the State of Louisiana, and that the said claim has been regularly surveyed and designated as Section seventy-six in Township twelve south of Range fourteen east of the Louisiana Meridian, Louisiana, containing one hundred sixteen acres and thirty-six hundredths of an acre, according to the Official Plat of the Survey of the said land, on file in the General Land Office, approved April 9, 1890;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said J. F. Martinez, and to his heirs, the land above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said J. F. Martinez, and to his heirs and assigns forever.

IN TESTIMONY WHEREOF, I, **Franklin D. Roosevelt,**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **NINTH**

(SEAL)

day of **DECEMBER** in the year of our Lord one thousand

one hundred and **FORTY** and of the Independence of the

United States the one hundred and **SEVENTY-FIFTH**

By the President:

By

*Franklin D. Roosevelt*  
*George H. Ransome*, Secretary.  
*S. C. Nichols, Jr.*

**1109950** Acting Chief, Patents Division,

RECORD OF PATENTS: Patent Number

Know all Men, That The United States of America,  
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That Charles Le Boeuf

has deposited in the GENERAL LAND OFFICE a Certificate numbered two hundred and sixty seven of the Register of the Land Office at Opelousas in the State of Louisiana whereby it appears that in pursuance of the Act of Congress approved on the third day of March One thousand eight hundred and seven, entitled "An Act respecting claims to land in the Territories of Orleans and Louisiana," the said Charles Le Boeuf, has been confirmed in his claim (in his own right) to a tract of land situated in the County of Washita on the west side of the Washita River, containing one hundred and ninety five acres and twenty seven hundredths of an acre, being Section forty four, in Township Eighteen North, of Range three West, in the District north of Red River, in the State of Louisiana.

THERE IS THEREFORE GRANTED by the UNITED STATES, unto the said Charles Le Boeuf, or his legal Representative, the Tract of Land above described: TO HAVE AND TO HOLD the said Tract of Land, above described, with the appurtenances, unto the said Charles Le Boeuf, or his legal Representatives and to his or their heirs and Assigns forever.

In Testimony whereof, I Andrew Jackson President of the United States, have caused these letters to be made PATENT, and the Seal of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand at the City of Washington, the first day of November in the year of our Lord one thousand eight hundred and thirty three and of the Independence of the United States, the fifty eighth

BY THE PRESIDENT, Andrew Jackson

Elijah Hayward  
By A. J. Donaldson Secy  
Commissioner of the General Land Office.

257  
L. S.

Certificate No. 42.

4-1040-B

# The United States of America,

Do all to whom these presents shall come. Greeting:

WHEREAS, there has been deposited in the General Land Office, a Certificate numbered forty-two of the Register and Receiver of the Land Office at Little Rock, Arkansas, whereby it appears that by the eleventh section of the act of Congress, approved May 26, 1824, entitled "An Act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," John Battiste Billiette, having deposited a decree of the Superior Court for the Territory of Arkansas, October term, 1825, and confirming the claim of the said John Battiste Billiette to a tract of land, situated in the Territory of Arkansas, containing four hundred arpens; and

WHEREAS, said John Battiste Billiette, has therefore, in satisfaction of said decree, entered the following described lands, viz: The east half of the southwest fractional quarter and the southeast fractional quarter of Section thirty and the northeast quarter and the Lot one of the northwest quarter of Section thirty-one in Township sixteen south of Range one west of the Fifth Principal Meridian, Arkansas, containing three hundred fifty-two and thirty-one-hundredths acres: as shown on the Official Plat of the Survey of the said Land on file in the General Land Office:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said John Battiste Billiette, and to his heirs, the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging, unto the said John Battiste Billiette, and to his heirs and assigns, forever.

IN TESTIMONY WHEREOF, I, Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-THIRD

(SEAL)

day of OCTOBER in the year of our Lord one thousand nine hundred and SEVENTEEN and of the Independence of the United States the one hundred and FORTY-SECOND,

By the President: *Woodrow Wilson*  
 By *M. C. L. Roy* Secretary,  
*J. G. Lamm*

Recorder of the General Land Office.

604754

RECORD OF PATENTS: Patent Number.....