

# Exhibit 61

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 reprints of the**

**Convention Between the United States of America and the Republic of Texas for Marking the Boundary Between Them, commonly known as the "Texas-American Boundary Convention: 1838", April 25, 1838; from The Avalon Project at the Yale Law School.**

**This attestation is made on July 28, 1998.**

*Attest:*           Jacelyn Sarbage          

          Laurie J. Harvey            
*Witness to scan and above signature*

          Ed. Brannon            
*Witness to above signatures*

## Texas-American Boundary Convention : 1838

**CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE  
REPUBLIC OF TEXAS FOR MARKING THE BOUNDARY BETWEEN THEM  
CONCLUDED APRIL 25, 1838; RATIFICATIONS EXCHANGED OCTOBER 12 1838;  
PROCLAIMED OCTOBER 13, 1838.**

Whereas the treaty of Limits made and concluded on the twelfth day of January, in the year of our Lord one thousand eight hundred and twenty-eight, between the United States of America on the one part and the United Mexican States on the other, is binding on the Republic of Texas, the same having been entered into at a time when Texas formed a part of the said United Mexican States;

And whereas it is deemed proper and expedient, in order to prevent future disputes and collisions between the United States and Texas in regard to the boundary between the two countries as designated by the said treaty, that a portion of the same should be run and marked with out unnecessary delay:

The President of the United States has appointed John Forsyth their Plenipotentiary, and the President of the Republic of Texas has appointed Memucan Hunt its Plenipotentiary;

And the said Plenipotentiaries, having exchanged their full powers, have agreed upon and concluded the following articles:

### **ARTICLE I.**

Each of the contracting parties shall appoint a commissioner and surveyor, who shall meet, before the termination of twelve months from the exchange of the ratifications of this convention, at New Orleans, and proceed to run and mark that portion of the said boundary which extends from the mouth of the Sabine, where that river enters the Gulph of Mexico, to the Red River. They shall make out plans and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this convention, and shall have the same force as if it were inserted therein. The two Governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts should such be deemed necessary;

### **ARTICLE II.**

And it is agreed that until this line shall be marked out, as is provided for in the

foregoing article, each of the contracting parties shall continue to exercise jurisdiction in all territory over which its jurisdiction has hitherto been exercised; and that the remaining portion of the said boundary line shall be run and marked at such time hereafter as may suit the convenience of both the contracting parties, until which time each of the said parties shall exercise without the interference of the other, within the territory of which the boundary shall not have been so marked and run, jurisdiction to the same extent to which it has been heretofore usually exercised.

### ARTICLE III.

The present convention shall be ratified, and the ratifications shall be exchanged at Washington, within the term of six months from the date hereof, or sooner if possible.

In witness whereof we, the respective Plenipotentiaries have signed the same, and have hereunto affixed our respective seals.

Done at Washington this twenty-fifth day of April, in the year of our Lord one thousand eight hundred and thirty-eight, in the sixty-second year of the Independence of the United States of America, and the third of that of the Republic of Texas.

JOHN FORSYTH. [L.S.]

MEMUCAN HUNT. [L.S.]

**Source:**

**Treaties and Conventions between the United States of America  
and Other Powers Since July 4, 1776  
Washington, DC : Government Printing Office, 1871**

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**An Electronic Publication of the Avalon Project - William C. Fray and Lisa A. Spar, Co-Directors.**

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