

# Exhibit 65

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in the case of:

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

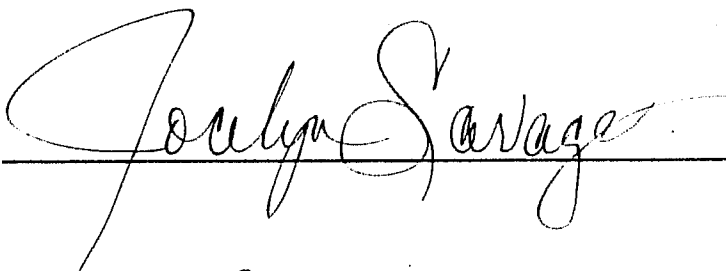
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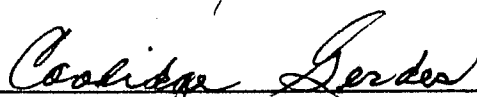
**UNITED NATIONS  
(and all it's Political Subdivisions)  
and  
UNITED STATES  
(and all it's Political Subdivisions)**

**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 Treaties With Great Britain (includes: "Convention for British Medication With Mexico", November 14, 1840, and the "Treaty Between the Republic of Texas and Great Britain for the Suppression of African Slave Trade", November 16, 1840), 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:**   
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***Witness to scan and above signature***

  
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***Witness to above signatures***

From H. P. N. Gammel (comp.) *The Laws of Texas, 1822-1897* (10 vols.; Austin, 1898), II, 880-898.

J. P. Henderson, Texas' first envoy to Britain and France, arrived in London in October, 1837, to seek recognition and commercial treaties, but he found Lord Palmerston, secretary of foreign affairs, unwilling to negotiate for a variety of reasons. He then went to Paris where he signed a treaty with France in September, 1839, and, after ascertaining that Palmerston's position was unchanged, sailed for Texas.

James Hamilton, who as a special agent to secure loans for Texas had assisted on the French treaty, was named by President Lamar as Henderson's successor. Since it no longer appeared that Texas would be annexed to the United States, Hamilton found the European diplomats more receptive to Texas advances. Completing a treaty with the Netherlands on September 18, 1840, Hamilton went to London, and in October obtained Palmerston's consent to discuss the Texas question. The negotiations led to three treaties: a treaty of commerce and navigation, containing the ordinary provisions included in commercial treaties; a "Convention," obligating Britain to mediate with Mexico in behalf of Texas; and a treaty for the suppression of the African slave trade.

The first two treaties were ratified by the Texas Senate early in 1841, but Palmerston, unwilling to take any chances on the treaty for the suppression of the African slave trade, insisted on exchanging ratifications of the three at the same time. The Texas Senate finally approved the third treaty on January 22, 1842, and ratifications of the three were exchanged in London on June 28, 1842. The extracts which follow contain the most significant provisions of the second and third treaties.

## 1. CONVENTION FOR BRITISH MEDIATION WITH MEXICO

November 14, 1840

### CONVENTION

Whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous of putting an end to the hostilities which still continue to be carried on between Mexico and Texas, has offered Her Mediation to the Contending Parties, with a view to bring about a

pacification between them; and whereas the Republic of Texas has accepted the mediation so offered; the Republic of Texas and Her Britannic Majesty have determined to settle, by means of a Convention, certain arrangements which will become necessary in the event of such pacification being effected, and have for this purpose . . . agreed upon and concluded the following Articles:

ARTICLE I. The Republic of Texas agrees that if, by means of the Mediation of Her Britannic Majesty, an unlimited Truce shall be established between Mexico and Texas, within thirty days after this present Convention shall have been communicated to the Mexican Government by her Britannic Majesty's Mission at Mexico; and if, within Six Months from the day on which that communication shall have been so made, Mexico shall have concluded a Treaty of Peace with Texas, then and in such case the Republic of Texas will take upon itself a portion, amounting to One Million Pounds Sterling, of the Capital of the Foreign Debt contracted by the Republic of Mexico before the 1st of January, One thousand Eight Hundred and Thirty-Five.

ARTICLE II. The manner in which the Capital of One Million Pounds Sterling of Foreign Debt, mentioned in the preceding Article, shall be transferred from the Republic of Mexico to the Republic of Texas, shall be settled hereafter by special Agreement between the Republic of Texas and the Republic of Mexico, under the Mediation of Her Britannic Majesty.

ARTICLE III. The present Convention shall be ratified, and the Ratifications shall be exchanged at London, as soon as possible within the space of Nine Months from this date.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

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Done at London, the Fourteenth day of November, in the Year of our Lord One Thousand Eight Hundred and Forty.

J. HAMILTON.  
PALMERSTON.

2. TREATY BETWEEN THE REPUBLIC OF TEXAS AND GREAT BRITAIN FOR THE SUPPRESSION OF AFRICAN SLAVE TRADE

November 16, 1840

Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, wishing to give fuller effect to the principles which form the basis of the Treaties which have been concluded between Great Britain and several other European powers, for the suppression of the African Slave Trade, and the Republic of Texas being likewise desirous of rendering effectual the fundamental article in her Constitution, which declares the said trade piracy, have determined to negotiate and conclude a Treaty for the more effectual extinction of this traffic. . . .

ARTICLE I. The Republic of Texas and Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, engage to prohibit African Slave Trade, either by their respective citizens or subjects, or under their respective flags, or by means of capital belonging to their respective citizens or subjects, and to declare such trade piracy. And the high contracting parties further declare, that any vessel attempting to carry on the slave trade shall, by that act alone, lose all right to claim the protection of their flag.

ARTICLE II. In order more completely to accomplish the object of the present treaty, the high contracting parties mutually consent that those ships of their respective navies which shall be provided with special warrants and orders, according to the form in Annex A, to this treaty, may visit such merchant vessels of either of the high contracting parties as may, upon reasonable grounds, be suspected of being engaged in the aforesaid traffic in slaves, or of having been fitted out for that purpose, or of having, during the voyage on which they are met with by the said cruisers, being engaged in the aforesaid traffic; and that such cruisers may detain, and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon.

But the above mentioned right of searching merchant vessels of either of the high contracting parties, shall be exercised only by ships of war, . . . and the said right shall not be exercised within the Mediterranean sea, nor within those seas in Europe which lie without the Straits of Gibraltar, and to the northward of the 37th parallel of north latitude, and within and to the eastward of the meridian of longitude, twenty degrees west of Greenwich; nor in the Gulf of Mexico, to the northward of the 25th parallel of north latitude, nor to the westward of the 90th degree of longitude, west of Greenwich.

ARTICLE III. Each of the high contracting parties reserves to itself the right to fix, according to its own convenience, the number of ships of its navy which shall be employed on the service mentioned in the second

article of this treaty, and the stations on which such ships shall cruise. . . .

ARTICLE V. . . . The cruisers of the high contracting parties shall afford to each other mutual assistance, on all occasions when it may be useful that they should act in concert.

ARTICLE VI. Whenever a merchant vessel, navigating under the flag of either of the contracting parties, shall have been detained by a cruiser of the other, duly authorized to that effect, conformably to the provisions of this treaty, such merchant vessel, as also her master, her crew, her cargo, and the slaves who may be on board of her, shall be carried to such place as shall have been appointed to that end by the contracting parties, respectively; and they shall be delivered over to the authorities appointed for that purpose by the government within whose territory such place shall be, to be proceeded against before the proper tribunals, as hereinafter directed. . . .

ARTICLE VII. If the commander of a cruiser of either of the contracting parties shall have reason to suspect that a merchant vessel, navigating under convoy of, or in company with, a ship of war of the other contracting party, has been engaged in the slave trade or has been fitted out for the said trade, he is to make known his suspicions to the commander of the ship of war, who shall proceed alone to visit the suspected vessel; and if the last mentioned commander shall find that the suspicion is well founded, he shall cause the vessel, together with her master, her crew, and the cargo, and the slaves who may be on board of her, to be taken into a port of her own nation, to be proceeded against before the proper tribunals, as hereinafter directed.

ARTICLE IX. Any merchant vessel of either of the high contracting parties, which shall be visited and detained in pursuance of the provisions of this treaty, shall, unless proof be given to the contrary, be deemed to have been engaged in the African Slave Trade, or to have been fitted out for the purposes of such traffic, if any of the particulars hereinafter specified shall be found in her outfit or equipment, or to have been on board during the voyage on which the vessel was proceeding when captured, videlicet:

First: — Hatches with open gratings, instead of the close hatches which are usual in merchant vessels;

Secondly: — Divisions or bulk-heads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade;

Thirdly: — Spare plank fitted for being laid down as a second or slave deck;

Fourthly: — Shackles, bolts, or handcuffs;

Fifthly: — A larger quantity of water in casks or in tanks, than is requisite for the consumption of the crew of the vessel, as a merchant vessel;

Sixthly: — An extraordinary number of water casks, or of other receptacles for holding liquid; unless the master shall produce a certificate from the custom-house at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel, that such extra quantity of casks or of other receptacles should only be used to hold palm-oil, or for other purposes of lawful commerce;

Seventhly: — A greater quantity of mess-tubs or kids, than are requisite for the use of the crew of the vessel, as a merchant vessel.

Eighthly: — A boiler, or other cooking apparatus, of an unusual size, and larger, and fitted for being made larger, than requisite for the use of the crew of the vessel as a merchant vessel; or more than one boiler, or other cooking apparatus of the ordinary size;

Ninthly: — An extraordinary quantity of rice, of the flour of Brazil manioc, or cassada, commonly called farina, of maize, or of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew; such rice, flour, maize, Indian corn, or other articles of food, not being entered in the manifest, as part of the cargo for trade;

Tenthly: — A quantity of mats or matting, greater than is necessary for the use of the vessel as a merchant vessel.

Any one or more of these several things, if proved to have been found on board, or to have been on board during the voyage on which the vessel was proceeding when captured, shall be considered as *prima facie* evidence of the actual employment of the vessel in the African Slave Trade; and the vessel shall thereupon be condemned and be declared lawful prize, unless clear and incontestible evidence on the part of the master or owners shall establish, to the satisfaction of the court, that such vessel was, at the time of her detention or capture, employed in some legal pursuit; and that such of the several things, above enumerated, as were found on board her at the time of her detention, or which had been put on board her during the voyage on which she was proceeding when captured, were needed for legal purposes on that particular voyage.

ARTICLE X. A vessel detained as before mentioned, together with her master, crew, and cargo, shall be forthwith proceeded against before the proper tribunals of the country to which she belongs, and shall be tried and adjudged by, and according to, the established forms and laws in force in that country; and if, in consequence of such proceedings, the said vessel shall be found to have been employed in the African Slave Trade, or to have been fitted out for the purposes thereof, the vessel and her equipments, and her cargo of merchandize, shall be confiscated; and the master, the crew, and the accomplices shall be dealt with conformably to the laws by which they have been tried.

If the said vessel shall be confiscated, the proceeds arising from her sale shall, within six months from the date of such sale, be paid into the hands of the government of the country to which the captor belongs, to be distributed according to law among the officers and crew of the capturing ship.

ARTICLE XI. If any of the things specified in Article IX of this treaty shall be found on board, or to have been on board, of any merchant vessel, during the voyage, on which the vessel was proceeding when captured, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall, in any case, be granted, either to her master, or to her owner, or to any other person interested in her equipment or lading, even though sentence of condemnation

should not be pronounced against her, in consequence of her detention.

ARTICLE XII. In all cases in which a vessel shall, under this treaty, be detained as having been engaged in the African Slave Trade, or as having been fitted out for the purposes thereof, and shall be adjudged and confiscated accordingly, the government whose cruizer detained the vessel, or the government by whose tribunal the vessel may be condemned, may purchase the condemned vessel for the use of its navy, at a price to be fixed by a competent person, . . .

ARTICLE XIII. When a merchant vessel, detained under this treaty, shall, upon adjudication before the proper tribunal, be held not to have been engaged in the African Slave Trade, and not to be fitted up for the purposes thereof, she shall be restored to her lawful owner or owners; and if, in the course of adjudication, it shall be proved that she has been visited and detained illegally, or without sufficient cause of suspicion; or if it shall be proved that the visit and detention have been attended with any abuse, or with vexatious acts, the commander of the cruizer, . . . or the officer who shall have been appointed to bring her in, and under whom (as the case may be) the abuse or vexatious acts shall have been committed, shall be liable to costs and damages to be paid to the master and to the owners of the vessel and cargo. . . .

ARTICLE XIV. If in the visit or detention of a merchant vessel under this treaty, any abuse or vexation shall have been committed, and if the vessel shall not have been delivered over to the jurisdiction of her own nation, the master of the vessel shall make a declaration, on oath, of the abuses or vexations of which he has to complain, and of the costs and damages to which he lays claim; and . . . the Government of the country to which the officer so charged with abuses and vexations shall belong, shall forthwith institute an inquiry into the matter; and if the complaint be proved to be valid, the said government shall cause to be paid to the master or owner, or to any other person interested either in the vessel which has been molested, or in her cargo, the proper amount of costs and damages.

ARTICLE XVI. The high contracting parties agree to ensure the immediate freedom of slaves who shall be found on board vessels detained and condemned in virtue of the stipulations of the present treaty; and, for this purpose, it is agreed that all slaves found on board a Texian vessel detained in the West Indies, shall, if the vessels be condemned by the Texian tribunals, be delivered over by the Texian to the British authorities, to be conveyed, at the expense of the British government, to some one of the British colonies in the West Indies; and in regard to Texian vessels detained on the coast of Brazil, or on the coast of Africa, it is further agreed that, in order that any slave found on board such vessels may not be exposed to the sufferings which would attend a voyage to Texas, such slaves shall . . . be carried or sent, at once, by the commander of the capturing cruizer, to one of the British settlements on the coast of Africa, the vessel herself being sent on to Galveston for adjudication. . . .

J. HAMILTON.  
PALMERSTON.