

# Exhibit 86

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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 reprints of the**

**Ordinance of the Convention of Texas - July 4, 1845; from The Avalon Project at the Yale Law School.**

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

**Attest:** Jocelyn Savage

Ed: Brannum

***Witness to scan and above signature***

J. Helen Brannum

***Witness to above signatures***

# Ordinance of the Convention of Texas, July 4, 1845

## An Ordinance.

Whereas the Congress of the United States of America has passed resolutions providing for the Annexation of Texas to that Union, which resolutions were approved by the President of the United States on the first day of March One thousand eight hundred and forty five; and Whereas the President of the United States has submitted to Texas, the first and second Sections of the said Resolution, as the basis upon which Texas may be admitted as one of the States of the said Union; and Whereas the existing Government of the Republic of Texas has assented to the proposals thus made, the terms and conditions of which are as follow,

Joint Resolution For annexing Texas to the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled That Congress doth consent, that the territory, properly included within and rightly belonging to the Republic of Texas may be erected into a new State, to be called the State of Texas, with a republican form of Government, to be adopted by the people of said Republic, by Deputies in Convention assembled, with the consent of the existing Government, in order that the same may be admitted as one of the States of this Union.

**2<sup>nd</sup>** And be it further Resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit:

**1<sup>st</sup>** Said State to be formed, subject to the adjustment by this Government of all questions of boundary, that may arise with other Governments, and the Constitution thereof with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress, for its final action, on or before the first day of January, One thousand eight hundred and forty six.

**Second.** Said State when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports and harbors, navy and navy yards, docks, magazines, arms and armaments and all other property and means pertaining to the public defence belonging to the said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind which may belong to or be due & owing to the said Republic;

and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct, but in no event are said debts and liabilities to become a charge upon the Government of the United States.

**Third.** New States of convenient size not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter' by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said Territory lung South of thirty six degrees thirty minutes North latitude, commonly known as the Missouri compromise line, shall be admitted into the Union' with or without Slavery' as the people of each State asking admission may desire. And in such State or States as shall be formed out of said Territory, North of said Missouri Compromise line, slavery or involuntary servitude (except for crime) shall be prohibited.

Now, in order to manifest the assent of the people of this Republic as required in the above recited portions of the said Resolutions; We the Deputies of the people of Texas in Convention assembled, in their name and by their Authority, do ordain and declare' that we assent to and accept the proposals, conditions and guarantees contained in the first and second Sections of the Resolution of the Congress of the United States aforesaid.

TH J. RUSK, President.

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|-----------------------------|--------------------------|
| <b>PHIL' M. CUNY</b>        | <b>ISAAC VAN ZANT</b>    |
| <b>H. G. RUNNERS</b>        | <b>S HOLLAND</b>         |
| <b>ROBERT M. FORBES</b>     | <b>EDWARD CLARK</b>      |
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**NICHOLAS H. DARNELL    ABNER S. LIPSCOMB**  
**EMERY RAINS    JOHN HEMPHILL**  
**A. W. O. HICKS    VAN R. IRION.**  
**JAMES M. BURROUGHS**

Adopted. July 4th 1845

Attest

JA H. RAYMOND

Secretary of the Convention

CITY OF AUSTIN REPUBLIC OF TEXAS July 5th 1845

I certify the foregoing is a correct copy of the Ordinance as adopted and signed by the Members of the Convention on Yesterday, July 4th 1845.

JA H. RAYMOND

Secretary of the Convention

**Source:**

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**19th Century Page**

**Texas-American Relations**

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