

Exhibit 137c

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)**

178 *Documents of Texas History*

ART. 16. Any member being expelled, shall have his pro rata interest in the institution refunded.

ART. 17. In case of vacancy by death or resignation, the President shall cause the Secretary to call a meeting of the members, by public advertisement posted on the court-house door in the town of Seguin, and at two other public places in the county, giving at least ten days notice, of an election to fill the vacancy; and in case the exigencies shall require it, the President may appoint; and in case of his death, absence, or resignation, the Secretary may appoint an incumbent pro tem.

ART. 18. Should the day of holding the annual elections be unfavorable, so as to prevent the attendance of the members, the President shall appoint another day, the earliest practicable, giving due notice of the same. The officers, in all cases, to act until their successors are installed.

ART. 19. If it should appear necessary to the greater utility of the institution, the fund may be enlarged by the further purchase of stock by the members of the Association.

ART. 20. The revenue arising from the institution shall be divided and paid at the end of each year, by the Treasurer, to the stockholders, on a pro rata basis.

ART. 21. This Constitution shall not be revised, altered, or amended in any particular, without the concurrent vote of two-thirds of all the members of the Association in favor of such alteration.

ART. 22. The Trustees shall have power to receive donations of money or property for the benefit of the

Association; and when the donation consists of property, the title shall be taken in the name of the "President and Trustees of the Guadalupe High School Association."

ART. 23. The Association shall be composed of not more than fifty members, and no person shall be permitted to subscribe, except with the approbation and consent of the Board of Trustees.

TERMS.

PER SESSION OF FIVE MONTHS.

Preparatory Department.

Spelling, Reading, Writing, and
Mental Arithmetic, - - - - - \$ 8.00

Second Department.

Arithmetic, Geography, English Grammar,
History, Natural Philosophy, &c., - - - - - 12.00

Third Department.

Higher branches of English Literature, Mathematics,
and Classics, - - - - - 15.00

Orphans and fatherless children who have not the
means—educated free of charge.

Boarding, including all incidental expenses, can be obtained
in families at the rates of from \$8 to \$10 per month.

78. ESTABLISHMENT OF THE TEXAS-NEW MEXICO BOUNDARY

September 9, 1850

At the conclusion of the Mexican War, the government of Texas took steps to assert its authority over the area lying east of the Rio Grande above El Paso, claimed as part of Texas since 1806. When Federal occupation forces, responding to local and national sentiment, prevented this assertion, an impasse fraught with dangerous possibilities followed. Meanwhile, the country at large was becoming tense over other issues: the existence of slavery in the District of Columbia; the alleged laxness of enforcement of the Fugitive Slave laws; the question of the extension of slavery into the Mexican Cession; and finally, the petition of California for admission to the Union as a free state.

To resolve these problems, Henry Clay in January 1850 introduced several resolutions in Congress. They were referred to a Select Committee of Thirteen, chaired by Clay, for study. In May this group proposed a series of bills designed to reconcile the various factions and issues. Progress on the bills was slow owing to the steadfast opposition of President Zachary Taylor; but Millard Fillmore, who succeeded Taylor upon the latter's death, supported them, with the result that they passed as the Compromise of 1850.

The first of the following documents reflects the temper of Governor Peter H. Bell. The second and third respectively are the reports of the Committees regarding the Texas boundary question and the final act establishing the boundary. The location of the actual boundary was proposed by Senator James A. Pearce of Maryland, whose view finally prevailed.

1. GOVERNOR BELL'S MESSAGE TO THE LEGISLATURE

August 13, 1850

From *Texas House Journal*, Third Legislature, Extra Session (Austin, 1850), 6-18.

Executive Department,
Austin, August 13, 1850.

To the Honorable Senate
and House of Representatives
Gentlemen:

Upon receiving the report of the Commissioner appointed under the authority of the act of the last Legislature, to provide for the civil organization of the counties of Presidio, El Paso, Worth and Santa Fe, and other information which subsequently came to my knowledge connected with the subject of that report, it occurred to me, that if the "occasion" contemplated by the constitution for the exercise of the power by the Executive of convening the Legislature in extraordinary session could ever exist, it was presented by the various facts and circumstances, in reference to a portion of the territory of our State, requiring in my judgment the most prompt and decisive action on the part of the Government; and . . . the oath

Establishment of the Texas-New Mexico Boundary

179

I had taken, faithfully to administer the duties of the station which I occupy, did not permit me to disregard the necessity of invoking the aid and assistance of the legislative wisdom of the country at a crisis in which the interest, honor, and character of the State were so deeply involved.

In accordance with the provision and requirement of the act of January 4, 1850, Robert S. Neighbors, Esq., was with the advice and consent of the Senate, appointed the Commissioner of the State, to carry into operation the objects contemplated by it, and after receiving such instruction and aid as it was in the power of the Executive to afford, he left the City of Austin on the 8th day of January for the region of country in which the duties of his mission required his presence and action.

Upon his arrival in the County of El Paso, he took the necessary measures for its immediate organization, and by his prudence, zeal, and activity, he succeeded to the fullest extent of our expectations. Within the space of a few weeks, he effected with a people heretofore unaccustomed to our Government and laws, and strongly imbued with prejudices against us as a race, a full recognition of the rights and of their relations to it, and inspired in them a desire to cultivate those relations in the performance of all the obligations of good citizens. . . .

The success of Major Neighbors in the County of El Paso gave rise to strong hopes of accomplishing the purposes of his mission in the County of Santa Fe, and these hopes were strengthened by assurances that he would meet with no opposition or obstacles on the part of the officers commanding the United States forces at that place. Previous to his departure from El Paso, he was furnished with a copy of an Official Order issued at Santa Fe on the 12th day of March, 1850, by Col. John Munroe, commanding the 9th Military Department, recognizing him as "a Commissioner of the State of Texas for the purpose of establishing the civil jurisdiction of the State over this territory," and requiring from the military authorities under his command, a rigid non-interference with him in the exercise of his functions. This order . . . would have been sufficient to have enabled him to accomplish the object he had undertaken, had it been observed in good faith. I regret to be compelled to state however, that it was not observed in good faith—very far from it.

Your honorable body will perceive from the report of the Commissioner . . . that on his arrival at Santa Fe, he not only met with every discouragement on the part of the individual exercising the authority of civil and military Gov., but it was distinctly intimated to him, that if he succeeded in holding his elections, and in qualifying the officers elected, the jurisdiction of Texas would not be recognized.—Super added to this, he was threatened by a judge holding a commission from the President of the United States with imprisonment if he attempted to enforce the laws of the State over that territory. Appeals were made by the same Judge to the populace to resist the authority of the State. Public meetings were called and held with the same object which were presided over and comprised principally of the officers and other persons in the pay and employment of the United States Government—and all this under the immediate eye and observation of the commanding officer, who if not the projector of these proceedings, unquestionably yielded his assent to

them, and subsequently adopted them, by issuing his proclamation calling a convention to form a government adverse to, and independent of our own.

This course of conduct on the part of Col. Munroe would seem strange after his *order of March* the 12th, were we not able to account for it by a belief which scarcely admits a doubt, that subsequent to the date of the order, he received instructions to repudiate the rights and authority of Texas in that territory.— . . . I was anxious that the President should have one more opportunity of disclaiming such design, and hence it was, that I requested our Delegation in Congress to have an interview with him on the subject previous to the delivery of the protest.—No such disclaimer however, has been received, and facts which have since come to my knowledge, indicate most clearly that none such was made or intended to be made.

Having thus, gentlemen, placed before you, in a very plain and brief manner, the most prominent facts and circumstances connected with our relations with Santa Fe, . . . the question at once presents itself—what course does duty, honor, patriotism and a just appreciation of our solemn obligations to the country require us to adopt?

I am fully sensible, that this is a question involving the most serious considerations, and in its contemplation there is commingled much of hope and apprehension. But who will falter in the pathway of duty though the wrong-doer be there powerful and mighty? . . . So long as we were permitted to cherish the hope, that there existed no fixed or premeditated design, to deprive us of our acknowledged and essential rights, our language was that of entreaty and supplication—our course that of forbearance and moderation; but with the undeniable evidence now before us of a settled determination to despoil us, regardless of compacts and constitutional guaranties, of at least one-third of our territory—a continuance of such language and such a course, would be degradation and shame.

Difficult and embarrassing then, as the question undoubtedly is, and however fraught its contemplation with painful solicitude, we have left us no choice, but to meet it. It must be met boldly, and fearlessly and determined. Not by further supplications or discussion with Federal authorities; not by renewed appeals to their generosity and sympathy; not by a longer reliance on the delusive hope, that justice will yet be extended to us: but by action—manly and determined action on our part, by a prompt assertion of our rights and a practical maintenance of them with all the means we can command, "at all hazards and to the last extremity."

After deeply, and I trust maturely reflecting on this subject, . . . it is my deliberate and firm conviction that there is now left us but one course consistent with honor, and a just sense of what is due to ourselves as a sovereign community, and that is, the immediate adoption by your honorable body with perfect unanimity, of such measures as are necessary for the occupation of Santa Fe, with a force ample to quell the arrogant and rebellious spirit now prevailing there, and to enable us to extend and firmly establish the jurisdiction and laws of the State over it.

Should the adoption and unswerving enforcement of these measures lead to a conflict with those who, by Executive authority, are now unlawfully exercising the

powers of a government adverse to our interests within our defined and acknowledged limits, . . . I should fearlessly meet it, trusting and feeling assured that Texas would stand exonerated before the world, even should that conflict shake, to its very centre, the most glorious confederacy upon which the sun has ever shone. . . .

→ In view, then, of the unpleasant and extraordinary position in which we are placed, and of the absolute necessity of immediate and decisive action on our part, I recommend that your honorable body authorize the Executive to raise, with as little delay as possible, *with power to supply*, at least two regiments of mounted volunteers for the contemplated move to and occupancy of Santa Fe. . . .

→ However willing Texas may have been, and may still be to *dispose* of a portion of her northwestern territory, upon fair, equitable and honorable terms, I cannot believe that any party respectable for its numbers or intelligence will be found amongst us who would be willing to accept a proposition so degrading to the character and dignity of the State, as the one contained in the bill reported by the Compromise Committee of the Senate. The right of the General Government to dispose of any portion of the territory of a sovereign State without its consent, cannot be admitted or acquiesced in by a free people, so long as they retain any just conception of the relative rights and obligations of the Federal and State Governments to each other; . . . If a proposition had been made founded upon *her acknowledged rights of territory*, to purchase from her that portion of it lying north of the 34th degree of north latitude, and accompanied with a sufficient guarantee that the provisions of the Joint Resolutions for annexation in respect to slavery should be observed, the most respectful consideration would have been given to it, and I risk but little in saying, that a large majority of our fellow citizens would have met such a proposition in the most liberal spirit and with a sincere desire to accord every thing reasonable and just that might have been asked in reference to it.

→ I have deemed it my duty to call your attention to this subject, because it may not be inappropriate for you, coming directly from the people, to give an expression of the public sentiment in regard to it. Such an expression may have a salutary influence elsewhere—if . . . clear and unequivocal. . . .

2. REPORT OF THE COMMITTEE OF THIRTEEN

May 8, 1850

From United States, Thirty-first Congress, First Session, *Senate Reports, The Reports of Committees*, No. 123 (Washington, 1850), 6-7.

. . . The committee beg leave next to report on the subject of the northern and western boundary of Texas. On that question a great diversity of opinion has prevailed. According to one view of it, the western limit of Texas was the Nueces; according to another, it extended to the Rio Grande, and stretched from its mouth to its source. A majority of the committee, having come to the conclusion of recommending an amicable adjustment of the boundary with Texas, abstain from expressing any opinion

as to the true and legitimate western and northern boundary of that State. The terms proposed for such an adjustment are contained in the bill herewith reported, and they are, with inconsiderable variation, the same as that reported by the Committee on Territories.

According to these terms, it is proposed to Texas that her boundary be recognized to the Rio Grande, and up that river to the point commonly called El Paso, and running thence up that river twenty miles, measured thereon by a straight line, and thence eastwardly to a point where the hundredth degree of west longitude crosses Red river; being the southwest angle in the line designated between the United States and Mexico, and the same angle in the line of the territory set apart for the Indians by the United States.

If this boundary be assented to by Texas, she will be quieted to that extent in her title. And some may suppose that, in consideration of the concession by the United States, she might, without any other equivalent, relinquish any claim she has beyond the proposed boundary; that is, any claim to any part of New Mexico. But, under the influence of a sentiment of justice and great liberality, the bill proposes to Texas, for her relinquishment of any such claim, a large, pecuniary equivalent. As a consideration for it, and considering that a portion of the debt of Texas was created on a pledge to her creditors of the duties on foreign imports, transferred by the resolution of annexation to the United States, and now received and receivable in their treasury, a majority of the committee recommend that payment of the sum of _____ millions of dollars to Texas, to be applied in the first instance to the extinction of that portion of her debt for the reimbursement of which the duties on foreign imports were pledged as aforesaid, and the residue in such manner as she may direct. The said sum is to be paid by the United States in a stock, to be created, bearing five per cent. interest annually, payable half yearly, at the treasury of the United States, and the principal reimbursable at the end of fourteen years.

According to an estimate which has been made, there are included in the territory to which it is proposed that Texas shall relinquish her claim, embracing that part of New Mexico lying east of the Rio Grande, a little less than 124,933 square miles, and about 79,957,120 acres of land. From the proceeds of the sale of this land, the United States may ultimately be reimbursed a portion, if not the whole, of the amount of what is thus proposed to be advanced to Texas.

It cannot be anticipated that Texas will decline to accede to these liberal propositions; but if she should, it is to be distinctly understood that the title of the United States to any territory acquired from Mexico east of the Rio Grande will remain unimpaired, and in the same condition as if the proposals of adjustment now offered had never been made. . . .

3. THE TEXAS-NEW MEXICO BOUNDARY ACT

September 9, 1850

From *United States Statutes at Large*, Vol. IX, 446-447.

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That the