

Exhibit 185

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:

Cutting Texas into Little Bits - email exchange, from the AFU and Urban Legend Archive - Politics, Texas secession more website

This attestation is made on August 18, 1998.

Attest: 

D. C. West

Witness to source and above signature

Merle Ann West

Witness to above signatures



The AFU and Urban Legend Archive
 Politics
 texas secession more



Select a topic

Newsgroups: alt.folklore.urban
 Subject: Cutting Texas into Little Bits
 Date: 1 Apr 1995 02:59:00 GMT

I was arguing with a Canadian cow orker last week about how the U.S. government works (T: Americans who argue with Canadians about how the U.S. government works are stupid.), and he asserted that

``Texas can divide itself into 5 states anytime it wants to."''

No way, I said, the U.S. Costitution doesn't provide for special treatment of any state, unlike the Canadian Costitution which is riddled with escape clauses and sections that apply to only one or two provinces or one or two of the three territories and what's so special about Texas anyhow? Sounds like a false UL which grew out of the ``Texas is number 1" mindset of many Texians. And Congress has to admit new states.

U.S. Constitution, Article IV, Section 3:

New states may be admitted by the Congress into this union; but no new states shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

Then, last week, I hear Russ Limbo (Big World: American entertainer whose radio show currently has the largest audience of any American radio production, Russ is known to make the occasional moderately right-of-center political comment during his broadcasts) mention the same story about Texas. That was enough. I decided to check this even if it entailed placing myself in close proximity to [future] lawyers (Texians: lawyers are what you call ``liars".)

The law library had a copy of The Constitution of the State of Texas (adopted 15 February A.D. 1876) as amended to 3 November A.D. 1987. This is several pages long, and I wanted to minimize my exposure time, so I read all the section headings but only those sections that had suggestive titles.

Best sequence from Article 3:

Section 48-d. RURAL FIRE PREVENTION DISTRICTS.

Section 48-e. EMERGENGY SERVICES DISTRICTS.

Laws may be...

Section 48-e. JAIL DISTRICTS.
The Legislature, by law,...

Section 49. STATE DEBTS.

Hint to Texians: Profread important document before yuu publisH them.

Texians must also be a bunch of trisekt^Wtrideca^W people who are afraid of the number 13, because there is no Article 13.

No obvious mention of cutting Texas into little bits.

But this is the State of Texas' 5th Constitution, let's go back....

28th Congress of the United States, Session II, No. 8 Joint Resolution for Annexing Texas to the United States, 1 March A.D. 1845 (U.S. Statutes at Large, Vol. 5, p. 797) [I have indicated the start and end of italics with square brackets]

[Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,] That Congress doth consent that...the Republic of Texas, may be erected into a new State...in order that the same may be admitted as one of the States of this Union.

2. [And be it further resolved,] That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees...New States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution...

[Be it resolved,] That a State...shall be admitted into the Union...as soon as...the cession of the remaining Texian territory...

That last snippet above doesn't have anything to do with the UL, I just like seeing the word ``Texian" in print.

So the U.S. Congress passes this resolution approving of the admission of the State of Texas with the guarantee that the State could spin off up to four future States, if certain conditions are met by the Texians, but maybe that was just a bargaining ploy, and and

The Texians go ahead and meet all of the conditions:

1. On 23 June the Congress of the Republic of Texas passes a Joint Resolution (quoting the first two sections of Joint Res. No. 8 above, verbatim) giving consent to the Annexation of Texas to the U.S. under the terms and guarantees offered.
2. On 4 July a special ``Convention of the People of the Republic of Texas" accepts the conditions and guarantees, again carefully quoting the first two sections of the Joint Resolution, verbatim.
3. The Republic of Texas causes the 1st Constitution of the State of Texas, which incorporates the

``Ordinance" produced on 4 July, to be written and submits all of these things to the President of the U.S. and the U.S. Congress.

29th Congress of the United States, Session I, No. 1 Joint Resolution for the Admission of the State of Texas into the Union, 29 December A.D. 1845 (U.S. Statutes at Large, Vol. 9, p. 108)

Whereas, the Congress of the United States,...did consent...; which consent...given upon certain conditions specified in the first and second sections of said joint resolution [of 1 March]...: therefore,

*Resolved*by*the*...*in*Congress*assembled*, That the State of Texas shall be one, and is hereby declared to be one, of the United States of America,...

D*mn, I hate it when I'm wrong.

T: The U.S. Congress has promised Texas that (while obeying other

provisions of the U.S. Constitution) Texas can partition off up to 4 new States which Congress will be obliged to admit into the Union,

-Eric "will break Texas into little pieces for food" Hyatt

Getting up in the morning recapitulates phylogeny.

>From: silversm@law.harvard.edu (Jol Andrew Silversmith)

Subject: Re: Texas secession (was Re: Republic of Texas Ambassador Taken by Gestapo)

Date: 10 May 1996 01:27:51 GMT

In article <4mr2vb\$5g3@panix3.panix.com>, tindall@panix.com (Bruce Tindall) wrote:

> As far as I know (and I could be mistaken), a treaty between Texas
> and the U.S. was discussed but failed to be ratified by the U.S.
> in 1844. The next year, however, a Joint Resolution of Congress
> (not a treaty) was adopted by the U.S. Congress on March 1, 1845,
> providing for the annexation of Texas, and Texas acceded soon
> thereafter.

>

> The Joint Resolution can be found at U.S. Statutes at Large, v. 5,
> p. 797, according to an article posted last year to alt.folklore.urban
> by Eric R. Hyatt, who said he found no provision for secession in
> the Joint Resolution.

True. The Joint Resolution provides that Texas will be admitted "on equal footing with the existing States." (p. 798)

> The Joint Resolution does apparently provide that Texas can
> divide itself into up to five states, but there seems to be little
> agreement in the legal community as to whether the provision is
> valid now, even if it was valid at the time of Texas's admission
> (which itself seems to be a debatable proposition).

The exact quote:: "New States, of convenient size, not exceeding four in number, in addition to the State of Texas, and having sufficient population, may hereafter by the consent of said State, be formed out of territory thereof, which shall be entitled to admission under the provisions of the federal constitution." (p. 798) (The remainder of the quote discusses slavery, and is certainly invalid under the Thirteenth Amendment.)

Note that there appear to be three conditions even if the condition is valid - 1) that the states be of a "convenient" size, 2) that one is a continuation of Texas, and 3) that (perhaps) the opportunity to create new states is a one-shot deal, depending on how the language is interpreted.

- > Finally -- and a lawyer or historian can please correct me if
- > I'm stating this incorrectly -- I believe that the Supreme Court
- > held in the 1867 case of Texas v. White that secession never was
- > legal, even before the ratification of the 14th Amendment, which
- > amendment seems to be irrelevant to this question.

Among other quotes from the case (it's from 1868, BTW): "When Texas became one of the United States, she entered into an indissoluble relation. The union between Texas and the other States was as complete, as perpetual, and as indissoluble as the union between the original States. There was no place for reconsideration or revocation, except through revolution or through consent of the States." Texas v. White, 74 U.S. 700, 703 (1868).

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