

For your information Texas does not have to secede.

The lands of Texas were never ceded therefore you cannot secede from something you never ceded.

Annexation of Texas. Joint Resolution of the Congress of the United States, March 1, 1845

28th Congress Second Session

Begun and held at the city of Washington, in the District of Columbia, on Monday the second day of December, eighteen hundred and forty-four.

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 rightfully 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. And be it further resolved, That the foregoing consent of Congress is given upon the following conditions, and with the following guarantees, to wit: First-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. **(NOTE added: This never happened. No 10th congress was ever convened until 2005).** 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, armaments, and all other property and means pertaining to the public defence belonging to said republic of Texas, **shall retain all the public funds, debts, taxes, and dues of every kind which may belong to or be due and owing 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 lying **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.

3. And be it further resolved, That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic; then, Be it resolved, that a state, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing states, as soon as the terms and conditions of such admission, and the cession of the remaining Texan territory to the United States shall be agreed upon by the governments of Texas and the United States: And that the **sum of one hundred thousand dollars** be, and the same is hereby, appropriated to defray

the expenses of missions and negotiations, to agree upon the terms of said admission and cession, **either by treaty to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President may direct.**

J W JONES

Speaker of the House of Representatives.

WILLIE P. MANGUM

President, pro tempore, of the Senate.

Approv'd March 1. 1845

JOHN TYLER

Source:

Treaties and Other International Acts of the United States of America.

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Documents 80-121 : 1836-1846

Washington : Government Printing Office, 1934.

<http://www.yale.edu/lawweb/avalon/texan01.htm>

I am convinced now that the whole matter of annexation by resolution for the republic of Texas Nation was a scam from the start. By Ed Brannum

- 1- 9th congress adjourns Feb. 3rd, 1845
- 2- Anson Jones calls for a convention of delegates July 4th, 1845. By what authority does one branch of government act on its own? By what authority did Jones without the consent of the senate have for calling the convention after congress had adjourned?
- 3- Should not the delegates be from Texas? Who were these 57 delegates?
- 4- Archives show only 13 delegates were from Texas and the rest are from the United States? Who did they represent, the republic of Texas or the United States/State of Texas?
- 5- The Questionable Convention adjourned Aug. 28th, 1845 with attested approval of the new so called constitution of The State of Texas on Aug 27th, 1845. All being done with a de jure congress in adjournment and completed without authority by one branch of government in violation of all constitutions.
- 6- Now get this: In the new constitution it states that the new government will be elected in November 1847 after the government is formed?
- 7- Bigger question: Why then one week later after Aug 27, 1845, the annual republic of Texas elections were held under the de jure 1836 republic of Texas constitution not the color of law State of Texas constitution that was just previously passed on the 27th of August 1845. On Sept. 5th, 1845 elections were held for the republic of Texas 10th congress but the elected congress was never convened in violation of the constitution all the elected took and Oath to uphold?
- 8- There are very few things the President can do without the consent of the Senate. There was no Senate in session at this time.
 - **Statement of fact: The First Legislature for the State of Texas convened in Austin on February 19, 1846 in direct violation of the 1836 republic of Texas constitution and also the so called newly adopted 1845 State of Texas constitution. It was done in fraud and there are no time limits for fraud.**
- 9- By what authority was a special election held in December 15th, 1845 when there was not a legislative branch convened? While under the constitution in their own newly established so called constitution called for elections in 1847 and the republic of Texas 10th congress had never convened?

- Question needing answers: Where were the Executive Branch members at this time and most importantly where were all the Judicial Branch Judges.
“Without the concurrent consent of all **three parts of the legislature, no law is, or can be, made.** *Sir M. Hale*”.
- **In all constitutions it has always required three full time branches of government for the people by the people in Texas not part time one or two branches.**
“From these laws may be deduced the rules of the **congresses** and reflections of two bodies. *Cheyne*”. *House of Representatives and the Senate*.

1- REPUBLIC OF TEXAS Archived records.

Department of State.

I, the undersigned, Attorney General and Acting Secretary of State of the Republic of Texas, do hereby certify that the regular session of the ninth Congress of said Republic, adjourned on **the third day of February, A. D. one thousand eight hundred and forty five.**

Given under my hand and seal of office at Washington, the fourth [L. s.] day of February, A. D., one thousand eight hundred and forty-five.

EBEN'R ALLEN.
(1180)

2- In the US Congress December 1844 there was submitted a proposition for the annexation of Texas by joint resolution. **After the 9th congress adjourned shown above** someone but who knows who without any congress authority Passed in **late February 1845** a joint resolution provided for the admission of Texas as a state instead of a **territory and gave it the privilege of keeping its own public lands**, thus providing a source of revenue with which to pay its debts, and extended the **right to divide itself into as many as four additional states.** **NOTE:** (Texas would have had to be classified as a territory to make this lawful so not to violate the uSA Constitution. All delegates elected were from a *territory to a congress seat; therefore they can only debate. *They cannot vote). Andrew J. Donelson^{qv} brought the proposition to Texas and urged its immediate acceptance. The United States government had good reason to be solicitous, for both England and France, in the hope that Texas might be induced to reject annexation and remain independent, had been urging Mexico to agree to a treaty of peace. Anson Jones, president of Texas, consented to the preliminaries of a treaty with Mexico by which that country consented to recognize the independence of Texas on condition that Texas **would not become annexed** to the United States. Jones presented both propositions, annexation and Mexican recognition, to **the Congress of the republic** (How can this be when the congress never convened after it was elected?) and to the people of Texas (What people and when?), who, by the Convention of 1845,^{qv} (only 57 delegates present and only 13 of them was from Texas) accepted the terms of annexation. This action ended all diplomatic activity of the republic, although some time passed before the various foreign representatives of Texas returned.

3- CONVENTION OF 1845. The Convention of 1845 was called by Anson Jones^{qv} to meet in Austin to consider the joint resolution of the United States Congress proposing the annexation^{qv} of the Republic of Texas^{qv} to the United States. The convention **assembled on July 4, 1845.** Thomas Jefferson Rusk^{qv} was elected president of the convention, and James H. Raymond^{qv} was secretary. By a vote of **fifty-five to one**, the **delegates** approved the offer of annexation. Richard Bache^{qv} of Galveston was the lone dissenter. Subsequently, the convention **prepared the Constitution of 1845^{qv}** for the new state. Rusk appointed several committees to examine legislative, executive, judicial, and general provisions of the constitution, as well as a committee

of five to prepare convention rules. Of the **fifty-seven delegates** elected to the convention, **eighteen were originally from Tennessee, eight from Virginia, seven from Georgia, six from Kentucky, and five from North Carolina.** Considered the most able body of its kind ever to meet in Texas, the convention included men of broad political experience such as Thomas J. Rusk, James Pinckney Henderson, Isaac Van Zandt, Hardin R. Runnels, Abner S. Lipscomb, Nicholas H. Darnell, R. E. B. Baylor, and José Antonio Navarro.^{qqv} The convention **adjourned on August 28, 1845.**

4- Note by Ed Brannum: I count 44 delegates from the foreign Eastern US states which left only 13 Texians to vote and I am sure 12 of them were Anson Jones people. I was always told the people of Texas voted to annex. **Where are the Texians that voted in the records?**

5- Possible answer: * Webster's Revised Unabridged Dictionary 1828 2. (a) One elected by the people of a **territory** to represent them in Congress, where he has the right of debating, **but not of voting.** Example Porto Rico. (Texas is a stand alone Nation not a territory).

6- Articles below from the 1845 so called State of Texas Constitution after adjournment.

7- SEC. 12. The first general election for governor, lieutenant governor, and members of the legislature, **after the organization of the government (???)**, shall take place on the **first Monday in November, one thousand eight hundred and forty-seven,** (Note: by what authority since there were no legislatures convened from February 3rd 1845) and shall be held biennially thereafter on the first Monday in November, until otherwise provided by the legislature; and the governor and lieutenant-governor elected in December next shall hold their offices until the installation in office of the governor and lieutenant-governor to be elected in the year one thousand eight hundred and forty-seven.

SEC. 13. The ordinance passed by the convention on the **fourth day of July,** (What year?) assenting to the overtures for the annexation of Texas to the United States, shall be attached to this constitution and form a part of the same.

Done in convention by the **deputies** of the people of Texas, at the city of Austin, this **twenty-seventh day of August, in the year of our Lord one thousand eight hundred and forty-five.**

Note by Ed Brannum: Why now are the convention delegates below now called deputies of the people of Texas when only 13 of them were from Texas?

In testimony whereof we have hereunto subscribed our names.

THO. J. RUSK, *President*

John D. Anderson	Oliver Jones
James Armstrong	H. L. Kinney
Cavitt Armstrong	Henry R. Latimer
B. C. Bagby	Albert H. Latimer
R. E. B. Baylor	John M. Lewis
R. Bache	James Love
J. W. Brashear	P. O. Lumpkin
Geo. Wm. Brown	Sam. Lusk
Jas. M. Burroughs	Abner S. Lipscomb
John Caldwell	James S. Mayfield
William L. Cazneau	A. McGowan
Edward Clark	Archibald McNeill

A. S. Cunningham	J. B. Miller
Phil. M. Cuny	Francis Moore, jr.
Nicholas H. Darnell	J. Antonio Navarro
James Davis	W. B. Ochiltree
Lemuel Dale Evans	Isaac Parker
Gustavus A. Everts	James Power
Robert M. Forbes	Emery Rains
David Gage	H. G. Runnels
John Hemphill	James Scott
J. Pinckney Henderson	Geo. W. Smyth
A. W. O. Hicks	Israel Standefer
Jos. L. Hogg	Chas. Bellinger Stewart
A. C. Horton	E. H. Tarrant
Volney E. Howard	Isaac Van Zandt
Spearman Holland	Francis M. White
Wm. L. Hunter	George T. Wood
Van. R. Irion	Wm. Cock Young
Henry J. Jewett	

Attest: JAMES H. RAYMOND,
Secretary of the Convention

NOTE: In reading the above the question I ask is: **who are these 57 people?**

8-Republic of Texas 10th Congress Members that have been replaced starting Sept. 5th, 2005

Regular Session, never convened;
Elected September 1845 - Never Seated

President Anson Jones
Vice-President (Died July 1845 never replaced) *

SENATE

Members	District	Counties
Caldwell, John	# 1-	Bastrop, Fayette, Gonzales & Travis
Damell, Nicholas Henry	# 2-	San Augustine
Franklin, Benjamin C.	# 3-	Harris, Galveston & Liberty
Grimes, Jessie	# 4-	Brazos, Montgomery & Washington
Johnson, Middleton Tate	# 5-	Harrison, Sabine, & Shelby
Kinney, Henry L.	# 6-	Goliad, Refugio & San Patricio
McCrearey, James J.	# 7-	Austin, Colorado & Fort Bend
Munson, Henry J.	# 8-	Milam & Robertson
Navarro, Jose Antonio	# 9-	Bexar
Parker, Issac	# 10-	Houston, Nacogdoches & Rusk
Pilsbury, Timothy	# 11-	Brazoria
Roman, Richard	# 12-	Jackson, Matagorda & Victoria
Wright, George W.	# 13-	Bowie, Fannin, Lamar & Red River
Vacant	# 14-	Jasper & Jefferson *

HOUSE OF REPRESENTATIVES

<u>Members</u>	<u>District</u>	<u>Counties</u>
Mabry, Evans	# 1-	Bastrop
Hudson, James P.	# 1-	Fayette
Jones, Augustus H.	# 1-	Gonzales
Cazneau, William Leslie	# 1-	Travis
Nash, John D.	# 2-	San Augustine
Sublett, Henry W.	# 2-	San Augustine
McAnelly, Comelius	# 3-	Harris
Fisher, William S.	# 3-	Galveston
Vacant	# 3-	Liberty *
Vacant	# 4-	Brazos *
Vacant	# 4-	Montgomery *
Williamson, Robert McAlpin	# 4-	Washington
Scott, William Thomas	# 5-	Harrison
Earl, William	# 5-	Sabine
Truitt, James	# 5-	Shelby
McNairy, John B.	# 5-	Shelby
Vacant	# 6-	Goliad *
Vacant	# 6-	Refugio *
Downs, George N.	# 6-	San Patricio
Shelborn, John P.	# 7-	Austin
Tipps, Jacob	# 7-	Colorado
Vacant	# 7-	Ft Bend *
Erath, George B.	# 8-	Milam
Porter, Robert H.	# 8-	Robertson
Howard, Volney Erskine	# 9-	Bexar
Van Derlip, David C.	# 9-	Bexar
Sadler, William Turner	# 10-	Houston
Moffitt, John H.	# 10-	Nacogdoches
Barnett, S. Slade	# 10-	Rusk
Perkins, Stephen W.	# 11-	Brazoria
Gaines, William B. P.	# 11-	Brazoria
Vacant	# 12-	Jackson *
Kendrick, Harvey W.	# 12-	Matagorda
Vacant	# 12-	Victoria *
Chambers, John G.	# 13-	Bowie

William, John H.	# 13- Fannin
Vacant	# 13- Lamar *
De Morse, Charles	# 13- Red River
Vacant	# 14- Jasper *
Vacant	# 14- Jefferson *

Total Senators 13

Total Representatives 28

Note: Above is a total of 43 congressmen, therefore when Jones called for a convention July 4th, 1845 who where the 57 so called delegates listed above in the so-called convention that signed off?

Jones was elected president of Texas in September 1844 and took office on December. He had made no campaign speeches, had not committed himself on the subject of annexation, and did not mention the subject in his inaugural address. After James K. Polk's election as president of the United States on a platform of "**re-annexation** ?? of Texas" and President John Tyler's proposal of annexation by **joint resolution**, Jones continued his silence. But the **Texas Congress declared for joining the Union.** (Note: How did the Texas congress declare for joining when they were adjourned and never re-convened)? Before Jones received official notice of the joint resolution, the charges of England and France induced him to **delay action for ninety days**. He promised to obtain from Mexico recognition of Texas independence and delayed calling the Texas Congress or a convention. Meanwhile, public sentiment for annexation and resentment against Jones mounted. **He was burned in effigy, and threats were made to overthrow his government**, but he remained silent until Charles Elliot^{qv} **returned from Mexico with the treaty of recognition.**

In the **Texas presidential race of 1844**, Vice President Edward Burleson faced Secretary of State Anson Jones, who had the support of Houston. **Jones won by a large vote.** After **he was inaugurated on December 9**, he launched a policy of economy, peaceful relations with the Indians, and a non-aggressive policy toward Mexico.

9- The United States Congress approved the Texas state constitution, and Polk signed the **act admitting Texas as a state on December 29, 1845**. The fledgling republic, whose existence had spanned nine years, eleven months, and seventeen days. **In a special election on December 15, Texans had elected officers for the new state government. The First Legislature convened in Austin on February 19, 1846.** In a ceremony in front of the Capitol, **President Jones** gave a valedictory address, the flag of the republic was lowered, and the flag of the United States was raised above it. (Question how was Jones still President when Congress never convened? Note: what authority held this special election when in their own newly established so called constitution called for elections in 1847. See articles above).

On February 19, 1846, at the ceremony setting up the government of Texas as a state in the Union, Jones declared, "**The Republic of Texas is no more.**" Then he retired to Barrington, his plantation near Washington-on-the-Brazos.

Description: "The word "resolution," when it is regarding a resolution passed by an assembly or legislature, simply means they have agreed on their intent on some matter. **A resolution is not a law.** Of course, Black's Law Dictionary, sixth edition, says that a Joint Resolution when signed by the President has the *effect* of law. Why would this be stated when any other definition you look at says it is a statement of intent? In fact, further down in Black's it says outright that a resolution is not a law. A law must come from an act passed by congress with specific language. It must have an Enactment Clause, such as "It is hereby enacted" and it must have an enabling clause. A resolution has neither of these. *Jay Enloe*"