

This is a
good idea!



AMERICAN DECLARATION II RESOLVES FOR THE RESTORATION OF THE REPUBLIC

No. 1 - Resolved: None of the taxes or other funds received, held, or appropriated by the United States government, or any branch of the United States government, its agencies, or any affiliate thereto, including funds received from any private person, group, or foundation; and none of the taxes or other funds received, held, or appropriated by the government of a State, or any of its subdivisions, agencies, or any affiliate thereto, including funds received from any private person, group, or foundation, shall be expended to fund any person, group, political or non-political organization, national or international, directly or indirectly, which in any way advocates, promotes or engages in the continued installation, principle or doctrine of world government.

No. 2 - Resolved: No citizen of the United States is obligated to pay tax on any income, or sales transaction, or to contribute to any excise or other form of levy or taxation which can be used to benefit, promote or advance, directly or indirectly, the current implementation of world government.

No. 3 - Resolved: No person may receive a salary, nor continue to hold public office, on either the state or federal level of government who has taken an oath to support and defend the Constitution of the United States who exercises that trust to initiate or support any action that contributes to the installation, maintenance, or continuance of the world government; or who is not in keeping with the principles and limitations set for public officials by the lawful government of the United States: the original Constitution of the United States of America.

No. 4 - Resolved: No person may continue to hold a public office on either the state or federal level of government who has taken the required Constitutional Oath to support and defend the Constitution of the United States who uses that delegated power and trust to initiate or support actions that contribute to the desecration of the rights of the people under the 1791 Constitutional Bill of Rights.

1313 East 60th Street, Chicago, Illinois
Public Administration Clearing House

1. Council of State Governments
2. Public Administration Society
3. Governor's Conference
4. Conference of Chief Justices
5. National Legislative Conference
6. National Association of Attorneys General
7. National Association of State Budget Officers
8. National Association of State Purchasing Officials
9. Interstate Clearing House on Municipal Health
10. American Public Works Association
11. American Public Utilities Association
12. Public Personnel Association
13. American Municipal Association
14. International City Managers' Association
15. Municipal Finance Officers Association
16. National Association of Housing and Redevelopment Officials
17. National Association of Assessing Officers
18. American Society of Planning Officials
19. Federation of The Administrators
20. American Society for Public Administration
21. National Institute of Municipal Clerks
22. Committee for International Municipal Cooperation - I.M.C.A.
23. Building Officials Conference of America

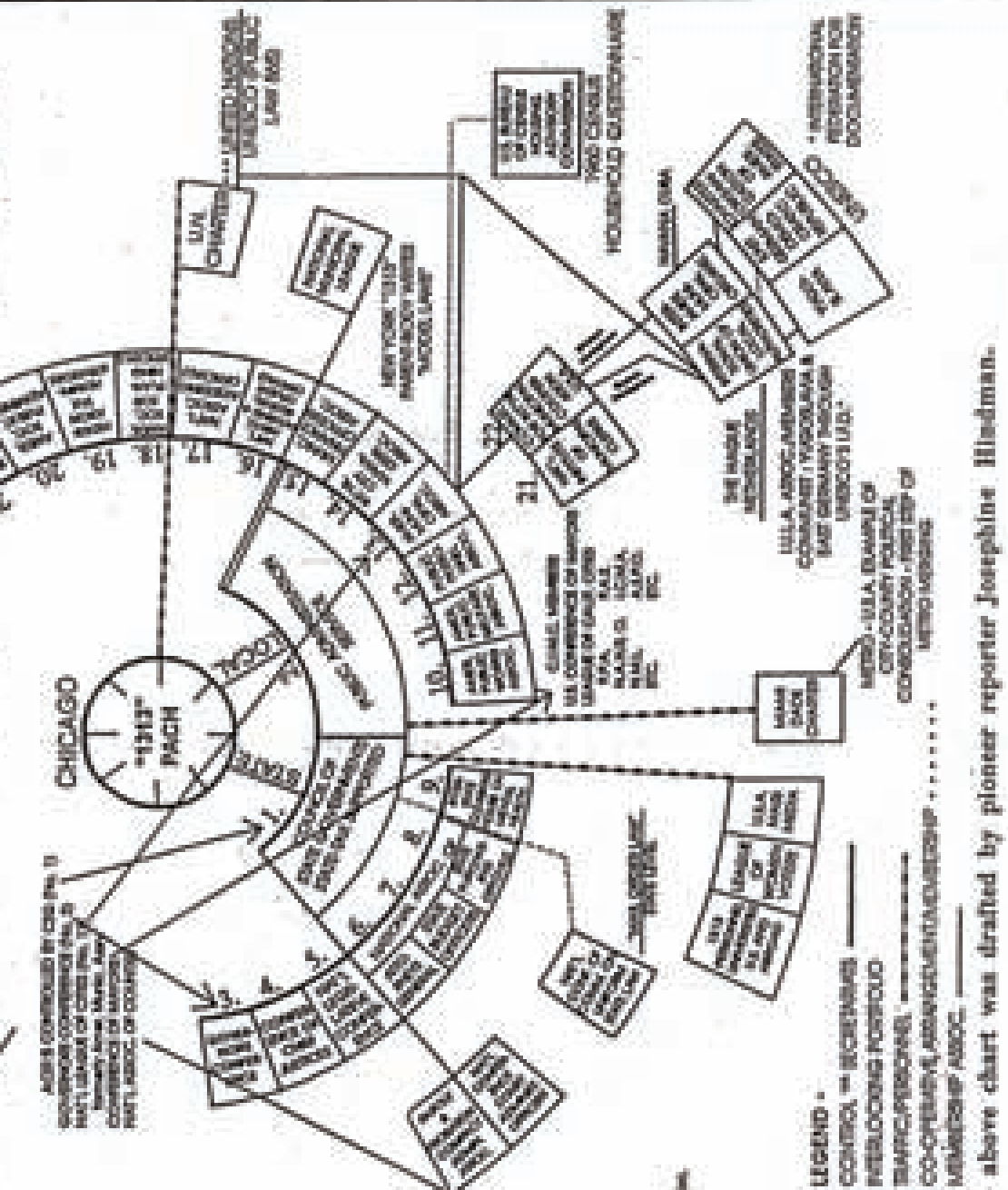
24. National Municipal League
25. National Conference of Commissioners on Uniform State Laws
26. National Conference of City Administrators
27. The Urban League
28. National Urban League
29. National Urban League
30. National Urban League
31. National Urban League
32. National Urban League
33. National Urban League
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49. National Urban League
50. National Urban League



RE: METRO CHART... With closer scrutiny one can see that all forms of city, county and state governments are locked into this program. To function they need the federal revenue sharing funds, and the federal grants. Please review carefully the 23 divisions or groups listed on the left side of the METRO CHART. The operation and implementation of their objectives connects our local self-determinations into federal socialist programs.

"METRO"

THE METROPOLITAN GOVERNMENT NETWORK (IN PART)



This network, developed by the Rockefellers, to indoctrinate our public officials and redirect the course of American gov't. so it could be managed by global government.



This article stands alone to explain P.A.C.H. and A.C.I.R. You can see by Jo Hindman's Metro Chart how our economic know-how and political power (not to mention our hard earned tax dollars) got channeled for years over to the United Nations by our "so-called" representatives. Now you can see why the Check and Balance System failed us. It became a victim of induced paralysis!

WHY THE CHECK AND BALANCE SYSTEM FAILED

The Public Administration Clearing House (P.A.C.H.) at 1313 E. 6th Street in Chicago was organized under the direction of a socialist named Charles E. Merriam who was funded by the Rockefeller family. The purpose of the P.A.C.H. has always been to bring all public officials under one system of control as is evidenced by the Hindman Chart (reverse side).

The Rockefeller family provided 8 million dollars in the thirties to establish this clearing house so that they could control the indoctrination of state-wide public officials, and persuade them as to the direction they ought to pursue, all the while, rendering themselves submissive to the consolidated power building up in Washington, D.C.

Merriam authored a book which was published in 1941 entitled: On The Agenda Of Democracy. In his book, Merriam defines democracy. It is what is also known as communism!. He said that revolution was "*the old way...the new way is education, persuasion, participation, and cooperation*". He taught how to achieve communism:

"Fortunately, our Constitution is broad enough in its terms, flexible enough in its spirit, and capable of liberal enough interpretation by the judiciary to permit the adaptation of democracy to changing conditions without serious difficulty."

"Legislative bodies are incompetent, it may be said, or corrupt, or dilatory, or unrepresentative of the general interest of the community."

"The elective process is not favorable to the choice of the leaders of the community." *—Charles E. Merriam*

The Advisory Commission on Intergovernmental Relations (A.C.I.R.) was grafted onto the federal government in 1959. Its duty was to draft legislation to be handed to public officials all over the nation. These were called "stip bills". Public officials were thus expected to get whatever was handed to them — passed into law! This made the public officials look like great thinkers to the folks back home! A.C.I.R. thus became the nation's law-making factory. In this manner unified laws were passed that took over. Gradual consolidation of all power and control was then achieved by public officials in Wash., D.C.

The governors also became members of P.A.C.H. and A.C.I.R. Their indoctrination and co-ordination for a "new world order" comes by their attendance at the annual "Governor's Conferences". Elections have been engineered so that those who will co-operate (with the desired power and other structural changes being sought to alter American Constitutional government) get heavily financed and then moved into key positions of elected office.

During the seventies, all local control was moved to the federal level by persuading local and state officials to accept federal revenue sharing funds and to adopt "general plans" for cities and communities. These must comply with the federal mandates set down for socialism and centralized control. Having achieved the objective of acquiring all control over every aspect of American government, including people, land, armed forces, etc., the federal government has devised ways by which it now transfers (what it has formerly consolidated unto itself) to the United Nations through purported "treaties" to empower the United Nations to have complete control over the "New World Order" government. Included in the plan is gradual abolishment of states, cities, counties and land ownership. The nation's governors quietly co-operate in the planned arrangement for the dissolution of the very states they were elected to "preserve, protect, and defend". State officials were supposed to keep the federal system in check! They have actually joined in the subterfuge!

The Avalon Project  *at Yale Law School*

United Nations Participation Act, December 20, 1945

see also Amendment of United Nations Participation Act, October 10, 1949

AN ACT To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Participation Act of 1945".

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States at the seat of the United Nations who shall have the rank and status of envoy extraordinary and ambassador plenipotentiary, shall receive annual compensation of \$20,000, and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

(b) The President, by and with the advice and consent of the Senate, shall appoint a deputy representative of the United States to the Security Council who shall have the rank and status of envoy extraordinary and minister plenipotentiary, shall receive annual compensation of \$12,000, and shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of the representative.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to

receive compensation at the rate of \$12,000 per annum for such period as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated under this subsection as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation.

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations at such salaries, not to exceed \$12,000 each per annum, as he shall determine, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either such Council (A) at any specified meeting thereof in the absence or disability of the regular representative, or (B) in connection with a specified subject matter at any specified meeting of either such Council in lieu of the regular representative. The advice and consent of the Senate shall also be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative.

(e) Nothing contained in this section shall preclude the President or the Secretary of State, at the direction of the President, from representing the United States at any meeting or session of any organ or agency of the United Nations.

SEC. 3. The representatives provided for in section 2 hereof, when representing the United States in the respective organs and agencies of the United Nations, shall, at all times, act in accordance with the instructions of the President transmitted by the Secretary of State unless other means of transmission is directed by the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Charter of the United Nations.

SEC. 4. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein. He shall make special current reports on decisions of the Security Council to take enforcement measures under the provisions of the Charter of the United Nations, and on the participation therein under his instructions, of the representative of the United States.

SEC. 5. (a) Notwithstanding the provisions of any other law, whenever the United

States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Charter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate' and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any property subject to the jurisdiction of the United States.

(b) Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to paragraph (a) of this section shall, upon conviction, be fined not more than \$10,000 or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents or any vessel, together with her tackle, apparel, furniture, and equipment, or vehicle, concerned in such violation shall be forfeited to the United States.

SEC. 6. The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter. The President shall not be deemed to require the authorization of the Congress to make available to the Security Council on its call in order to take action under article 42 of said Charter and pursuant to such special agreement or agreements the armed forces, facilities, or assistance provided for therein: Provided, That nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for such purpose armed forces, facilities, or assistance in addition to the forces, facilities, and assistance provided for in such special agreement or agreements.

SEC. 7. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service

The Avalon Project  *at Yale Law School*

*Amendment of United Nations Participation Act, October
10, 1949*

AN ACT To amend the United Nations Participation Act of 1945

Be it enacted by the Senate and House of Representatives of the United States of America In Congress assembled, That subsections (a), (b), (c), and (d) of section 2 of the United Nations Participation Act of 1945 are hereby amended to read as follows:

“(a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the United Nations, both of whom shall have the rank and status of envoy extraordinary and ambassador plenipotentiary and shall hold office at the pleasure of the President. Such representative and deputy representative shall represent the United States in the Security Council of the United Nations and may serve ex officio as United States representative on any organ, commission, or other body of the United Nations other than specialized agencies of the United Nations, and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

“(b) The President, by and with the advice and consent of the Senate, shall appoint an additional deputy representative of the United States to the Security Council who shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of both the representative and the deputy representative of the United States to the United Nations.

“(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative.

“(d) The President may also appoint from time to time such other persons as he

may deem necessary to represent the United States in the organs and agencies of the United Nations, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either such Council (A) at any specified session thereof where the position is vacant or in the absence or disability of the regular representative, or (B) in connection with a specified subject matter at any specified session of either such Council in lieu of the regular representative. The President may designate any officer of the Department of State, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States in the Security Council of the United Nations in the absence or disability of the representative and deputy representatives appointed under section 2: (a) and (b) or in lieu of such representatives in connection with a specified subject matter. The advice and consent of the Senate shall be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative."

Sec. 2. Section 2 of such Act is further amended by adding the following new subsection:

"(f) All persons appointed in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 411 and 412 of the Foreign Service Act of 1946 (Public Law 724, Seventy-ninth Congress) for chiefs of mission and Foreign Service officers occupying positions of equivalent importance, except that no member of the Senate or House of Representatives or officer of the United States who is designated under subsections (c) and (d) of this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation."

SEC. 3. Subsection (b) of section 5 of such Act is hereby amended by inserting "or aircraft," after "or vehicle,".

SEC. 4. The proviso in section 6 of such Act is hereby amended by inserting after "That" the following: ", except as authorized in section 7 of this Act,".

SEC. 5. Such Act is hereby amended by inserting after section 6 the following new section:

"SEC. 7. (a) Notwithstanding the provisions of any other law, the President, upon i-ha request by the United Nations for cooperative action, and to the extent that he finds that it is consistent with the national interest to comply with such request' may authorize, in support of such activities of the United Nations as are specifically directed to the peaceful settlement of disputes and not involving the employment of armed forces contemplated by chapter VII of the United Nations Charter-

"(1) the detail to the United Nations, under such terms and conditions as the President shall determine, of personnel of the armed forces of the United States to serve as observers, guards, or in any noncombatant capacity, but in no event shall more than a total of one thousand of such personnel be so detailed at any one time: Provided, That while so detailed, such personnel shall be considered for all purposes as acting in the line of duty, including the receipt of pay and allowances as personnel of the armed forces of the United States, credit for longevity and retirement, and all other perquisites appertaining to such duty: Provided further, That upon authorization or approve thy the President, such -personnel may accept directly from the United Nations (a) any or all of the allowances or perquisites to which they are entitled under the first proviso hereof, and (b) extraordinary expenses and perquisites incident to such detail;

"(2) the furnishing of facilities, services, or other assistance and the loan of the agreed fair share of the United States of any supplies and equipment to the United Nations by the National Military Establishment, under such terms and conditions as the President shall determine;

"(3) the obligation, insofar as necessary to carry out the purposes of clauses (1) and (2) of this subsection, of any funds appropriated to the National Military Establishment or any department therein, the procurement of such personnel, supplies, equipment, facilities, services, or other assistance as may be made available in accordance with the request of the United Nations, and the replacement of such items, when necessary, where they are furnished from stocks.

"(b) Whenever personnel or assistance is made available pursuant to the authority contained in subsection (a) (1) and (2) of this section, the President shall require reimbursement from the United Nations for the expense thereby incurred by the United States: Provided, That in exceptional circumstances, or when the President finds it to be in the national interest, he may waive, in whole or in part, the requirement of such reimbursement: Provided further, That when any such reimbursement is made, it shall be credited, at the option of the appropriate department of the National Military Establishment, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation, fund, or account currently available for the purposes for which expenditures were made.

" (c) In addition to the authorization of appropriations to the Department of State contained in section 8 of this Act, there is hereby authorized to be appropriated to the National Military Establishment, or any department therein, such sums as may be necessary to reimburse such Establishment or department in the event that reimbursement from the United Nations is waived in whole or in part pursuant to authority contained in subsection (b) of this section.

" (d) Nothing in this Act shall authorize the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any other law of the United States."

SEC. 6. Section 7 of such Act is hereby amended to read as follows:

" **SEC. 8.** There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Travel Expense Act of 1949, and section 10 of the Act of March 3, 1933, as amended, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); cost-of-living allowances for personnel stationed abroad under such rules and regulations as the Secretary of State may prescribe; communications services; stenographic reporting, translating, and other services, by contract; hire of passenger motor vehicles and other local transportation; rent of offices; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); allowances and expenses as provided in section 6 of the Act of July 30, 1946 (Public Law 565, Seventy-ninth Congress), and allowances and expenses equivalent to those provided in section 901 (3) of the Foreign Service Act of 1946 (Public Law 724, Seventy-ninth Congress); the lease or rental (for periods not exceeding ten years) of living quarters for the use of the representative of the United States to the United Nations referred to in paragraph (a) of section 2 hereof, the cost of installation and use of telephones in the same manner as telephone service is provided for use of the Foreign Service pursuant to the Act of August 23, 1912, as amended (31 U. S. C. 679), and the allotment of funds similar to the allotment authorized by section 902 of the Foreign Service Act of 1946, for unusual expenses incident to the operation and

maintenance of such living quarters, to be accounted for in accordance with section 903 of said Act; and such other expenses as may be authorized by the Secretary of State; all without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C. 5)."

Source:

A Decade of American Foreign Policy : Basic Documents, 1941-49
Prepared at the request of the Senate Committee on Foreign Relations
By the Staff of the Committee and the Department of State.
Washington, DC : Government Printing Office, 1950

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HR 1146 IH

106th CONGRESS

1st Session

H. R. 1146

To end membership of the United States in the United Nations.

IN THE HOUSE OF REPRESENTATIVES**A BILL**

To end membership of the United States in the United Nations.

SECTION 1. SHORT TITLE.

This Act may be cited as the 'American Sovereignty Restoration Act of 1999'.

SEC. 2. REPEAL OF UNITED NATIONS PARTICIPATION ACT.

(a) **REPEAL-** The United Nations Participation Act of 1945 (Public Law 79-264, 22 U.S.C. 287-287e) is repealed.

(b) **TERMINATION OF PARTICIPATION IN UNITED NATIONS -** The President shall terminate all participation by the United States in the United Nations, and any organ, specialized agency, commission or other formally affiliated body of the United Nations.

(c) **CLOSURE OF UNITED STATES MISSION TO UNITED NATIONS -** The United States Mission to the United Nations is closed. Any remaining functions of such office shall not be carried out.

SEC. 3. REPEAL OF UNITED NATIONS HEADQUARTERS AGREEMENT ACT.

(a) **REPEAL-** The United Nations Headquarters Agreement Act (Public Law 80-357) is repealed.

(b) **WITHDRAWAL-** The United States withdraws from the agreement between the United States and the United Nations regarding the headquarters of the United Nations (signed at Lake Success, New York, on June 26, 1947, which was brought into effect by the United Nations Headquarters Agreement Act).

SEC. 4. UNITED STATES ASSESSED AND VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS.

(a) **TERMINATION-** No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions of the United States to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, except that funds may be appropriated to facilitate withdrawal of United States personnel and equipment. Upon termination of United States membership, no payments shall be made to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, out of any

funds appropriated prior to such termination or out of any other funds available for such purposes.

(b) **APPLICATION-** The provisions of this section shall apply to all agencies of the United Nations, including independent or voluntary agencies.

SEC. 5. UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) **TERMINATION-** No funds are authorized to be appropriated or otherwise made available for any United States contribution to any United Nations military operation.

(b) **TERMINATIONS OF UNITED STATES PARTICIPATION IN UNITED NATIONS PEACEKEEPING OPERATIONS-** No funds may be obligated or expended to support the participation of any member of the Armed Forces of the United States as part of any United Nations military or peacekeeping operation or force. No member of the Armed Forces of the United States may serve under the command of the United Nations.

SEC. 6. WITHDRAWAL OF UNITED NATIONS PRESENCE IN FACILITIES OF THE GOVERNMENT OF THE UNITED STATES AND REPEAL OF DIPLOMATIC IMMUNITY.

(a) **WITHDRAWAL FROM UNITED STATES GOVERNMENT PROPERTY-** The United Nations (including any affiliated agency of the United Nations) shall not occupy or use any property or facility of the United States Government.

(b) **DIPLOMATIC IMMUNITY-** No officer or employee of the United Nations or any representative, officer, or employee of any mission to the United Nations of any foreign government shall be entitled to enjoy the privileges and immunities of the Vienna Convention on Diplomatic Relations of April 18, 1961, nor may any such privileges and immunities be extended to any such individual. The privileges, exemptions and immunities provided for in the International Organizations Immunities Act of December 29, 1945 (59 Stat. 669; 22 U.S.C. 288, 288a-f), or in any agreement or treaty to which the United States is a party, including the agreement entitled "Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations," signed June 26, 1947 (22 U.S.C. 287), and the Convention on Privileges and Immunities of the United Nations, entered into force with respect to the United States on April 29, 1970, (21 UST 1418; TIAS 6900; UNTS 16), shall not apply to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, to the officers and employees of the United Nations, or any organ, specialized agency, commission or other formally affiliated body thereof, or to the families, suites or servants of such officers or employees.

SEC. 7. REPEAL OF UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION ACT - The joint resolution entitled "A joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor" approved July 30, 1946 (Public Law 79-565, 22 U.S.C. 287m-287t), is repealed.

SEC. 8. REPEAL OF UNITED NATIONS ENVIRONMENT PROGRAM PARTICIPATION ACT OF 1973 - The United Nations Environment Program Participation Act of 1973 (22 U.S.C. 287 note) is repealed.

SEC. 9 REPEAL OF UNITED STATES PARTICIPATION IN THE WORLD HEALTH ORGANIZATION - The joint resolution entitled "Joint Resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor," approved July 14, 1948 (22 U.S.C. 290, 290a-e-1) is repealed.

SEC. 10 REPEAL OF INVOLVEMENT IN UNITED NATIONS CONVENTIONS AND AGREEMENTS - As of the date of enactment of this act, the United States will end any and all participation in any and all conventions and/or agreements with the United Nations and any organ, specialized agency, commission or other formally affiliated body thereof. Any remaining functions of such conventions and/or agreements shall not be carried out.

SEC. 11 - REEMPLOYMENT WITH UNITED STATES GOVERNMENT AFTER SERVICE WITH AN INTERNATIONAL ORGANIZATION

Nothing in this Act shall be construed to affect the rights of employees under subchapter IV of chapter 35 of title 5, United States Code, relating to reemployment after service with an international organization.

SEC. 12 - NOTIFICATION

Effective on the date of the enactment of this Act, the Secretary of State shall notify the United Nations and any organ, specialized agency, commission or other formally affiliated body of the United Nations of the provisions of this Act.

SEC. 13 - EFFECTIVE DATE

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 2 years after the date of the enactment of this Act.

Say!! Just WHO are the REAL
anti-government extremists?

WE didn't write and pass laws* requiring the give-away of our entire armed forces on a permanent basis to foreign communist commanders under the United Nations leaving us a "zero" military!

WE didn't approve membership in that organization whose policy is that there can be no private ownership of land!

WE didn't authorize Washington, D.C. to federalize our police for purposes of creating a national police force to be used by the communist United Nations!

WE didn't approve of all our parks, rivers, and historical sites being placed under the custody of the United Nations!

WE didn't approve of a 'new world order' which expects us to dissolve our American states and give up our national sovereignty!

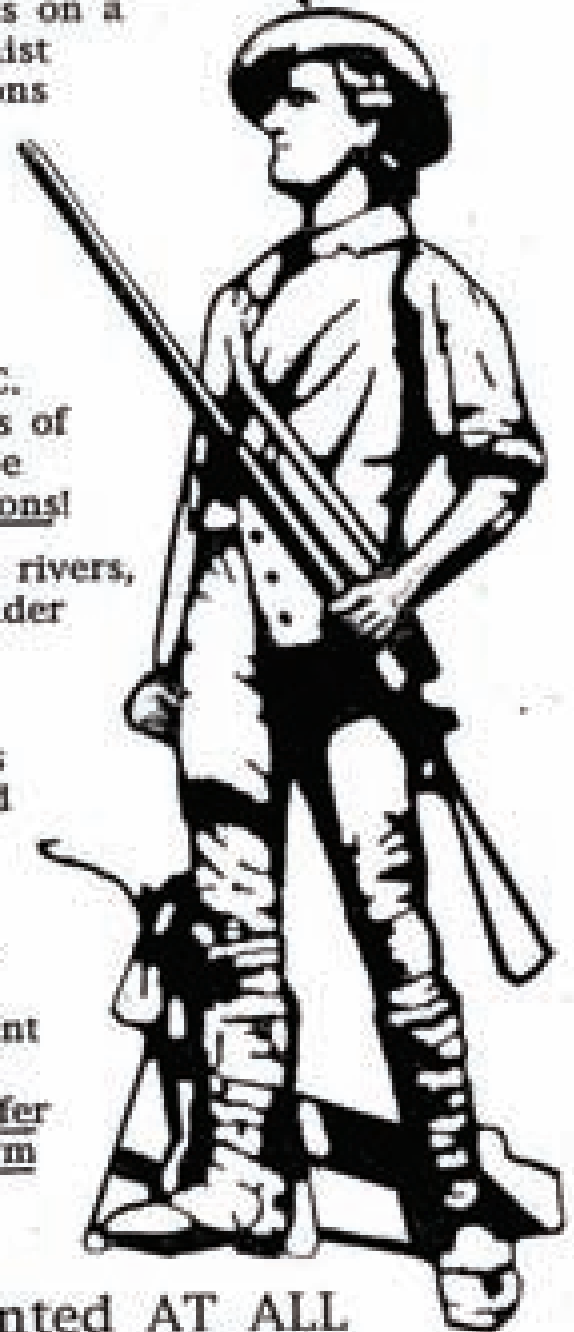
WE didn't write Clinton's Executive Order #13107 in which he has pledged to substitute for our Bill of Rights a communist document called The Universal Declaration of Human Rights! WE always DID prefer the Constitution over any other form of government!

As a matter of fact,
WE, NEVER HAVE consented AT ALL
to being turned into communists!

SO JUST WHO IS ANTI-GOVERNMENT??

Public Law 87-297* calls for the complete disarmament of the United States
down to the very last gun owned by law-abiding people.

Three
cheers
for
the
Minute
men!



THE FABIAN SOCIALIST WINDOW



The motto of the Fabian Society :

"For the right moment you must wait, as Fabius did most patiently when warring against Hannibal, though many censured his delays; but when the time comes, you must strike hard as Fabius did, or your waiting will be in vain and fruitless."

THE FABIAN SOCIALISTS
ARE IN CONTROL OF THE GOVERNMENT
OF AMERICA

Conquest Through 'Gradual *Peaceful* Development'



The Fabian Society Emblem

The emblem above is an enlargement of the one in the Fabian window. Notice that the wolf is hiding underneath a sheep skin. The Fabian Society took its name from the Roman general Fabius Maximus who lived 200 years B.C. Fabius Maximus employed careful, and slow-moving policies with great success. His tactics were to *infiltrate the existing government* in the nation he wished to conquer. This also gave the Fabians time to train socialists to take over top positions in the military, as teachers in the schools, in law enforcement and the courts, and in the state and federal governments. The intent was to eliminate any resistance to totalitarian rule during the transition. In this way, through gradualism, the people would not feel the sudden jolt of what they were expected to ultimately become.

Arrogantly, the Fabians depicted themselves as reshaping the whole world in the stained glass window which once hung in the Beatrice and Sidney Webb home. The Fabian Society was established in 1884. The stained glass window was made in 1910. Beatrice and Sidney Webb set up the *London School of Economics and Political Science*.

In the Fabian window on the left, E. R. Pease is shown operating a bellows. Sidney Webb is in the center striking with a hammer. George Bernard Shaw is on the right also striking with a hammer as they "Remould The World Nearer To The Heart's Desire". On the lower right row is H.G. Wells thumbing his nose at the other Fabians because they think they must work secretly. Wells believed that they should come out and be open about it.



Samuel B. Pettengill

Samuel B. Pettengill, who represented Indiana's 3rd Congressional District in the 1930's published a book in 1940 which was entitled:

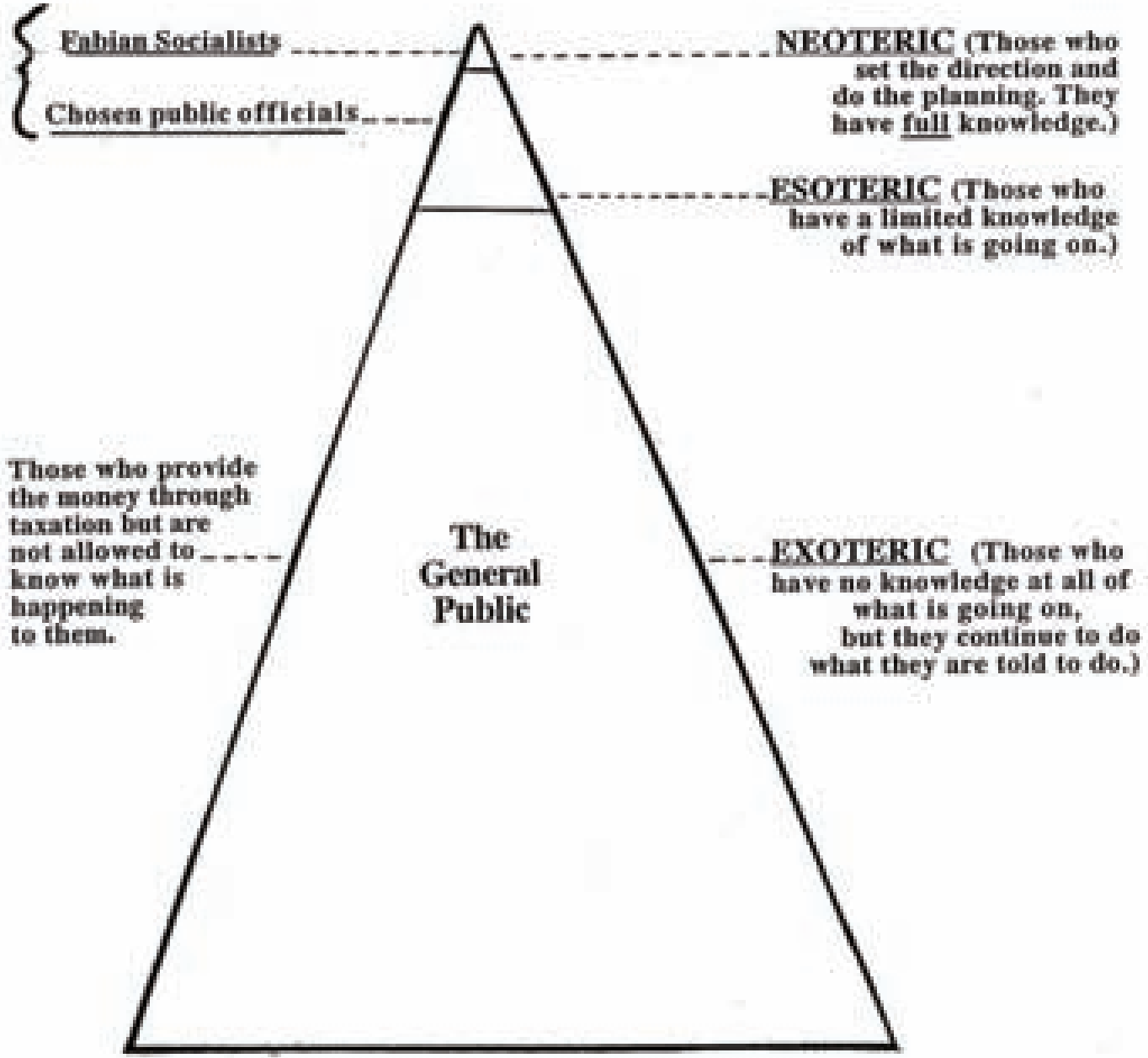
SMOKE-SCREEN.

In SMOKE-SCREEN Pettengill warned:

"The progress will be gradual, but the end inevitable. There will be no sudden coup d'etat. The march will be step by step, and by muffled tread. It will move under the smoke-screen of laudable "objectives" to its hidden goal. That goal is National Socialism."

Today we are told that government is protecting the people against crime, yet the government is bringing in drugs by the planeloads, and allowing the negative corrupt influences on television to continue.

WHO KNOWS WHAT IS GOING ON AND HOW MUCH?



HOW THE FABLIAN SOCIALIST OPERATE.

THREE DIVISIONS OF PEOPLE AS THE FABIAN SOCIALISTS VIEW THE WORLD

1. NEOTERIC GROUP

This is their group: the 'select' few, the inmost group, that has full knowledge of the transition to a totally planned socialistic society under a world government. With special consultants and advisors, they lay out the *new moves* to be made. They make contacts with others at summit conferences, hold special secret organized meetings, and work with governors of states. They desire a completely disarmed world except for the world army that *they* control in order to operate a world-wide totalitarian society.

2. ESOTERIC GROUP

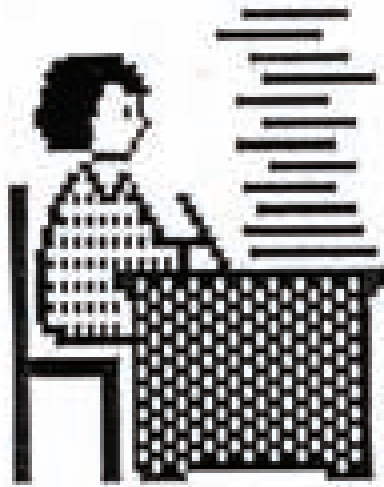
The Neoteric group gives secret but limited information and directives to this group that does the legwork because of the positions they hold, or influence they have that is essential to the Neoteric group. They are let in on secret activity because of key social, civic, educational, governmental influence or political offices held.

3. EXOTERIC GROUP

This group is the general public which is kept unaware of the real motives for unusual laws, changes, etc. They would not approve of socialists control so they are kept outside of secret planning. Delphi Technique and sophistry must be applied to keep this group from learning what is happening to their government. They must accept the excuses they are given for encroachments and infringements on their rights.

Joseph Stalin said in effect:

"It matters not that they are members of the party. What is important is whether they serve the same common cause."



There's another old saying:

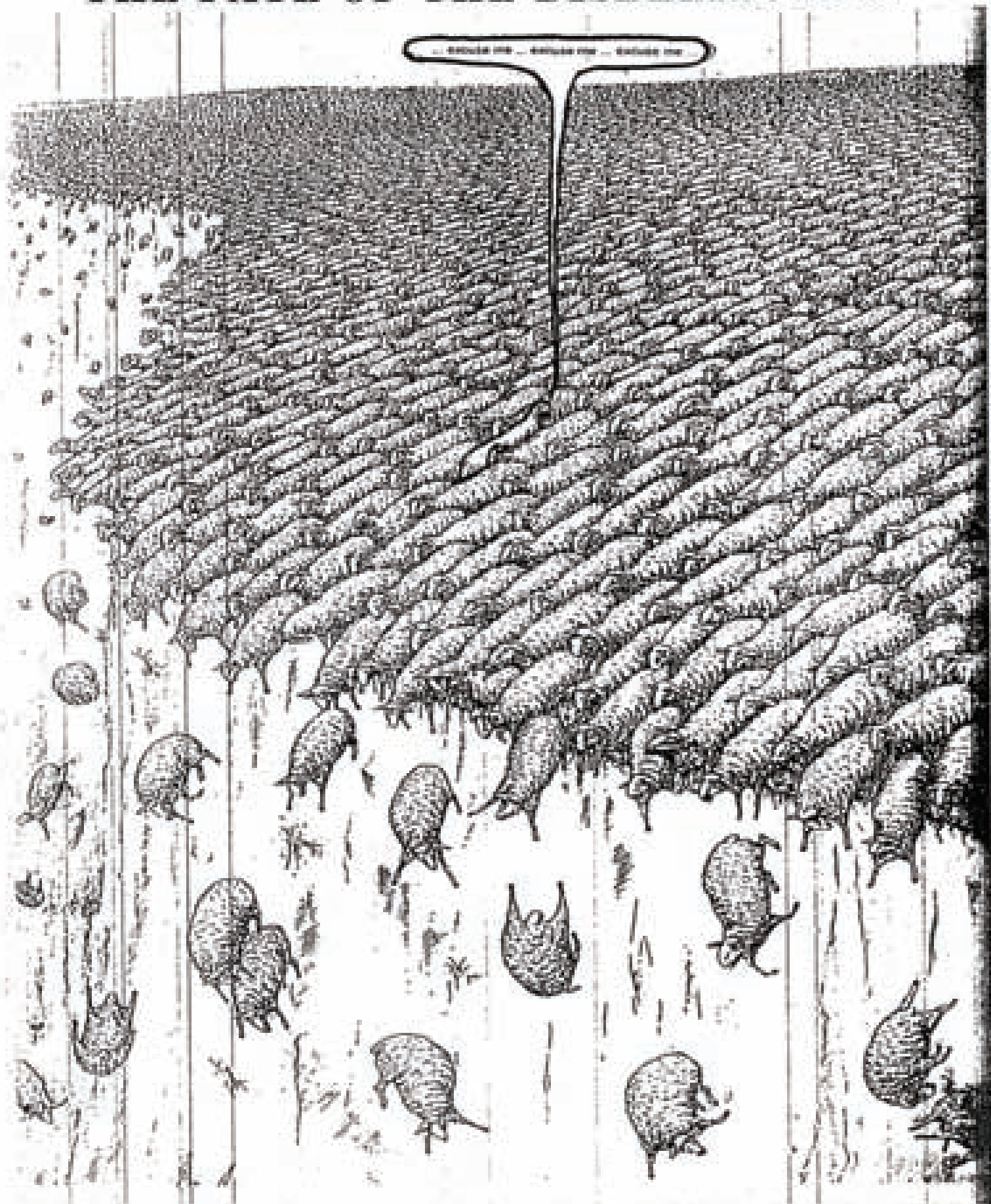
"You can lead a horse to water but you can't make him drink."

Naturally, I hope you are now realizing that what the real Uncle Sam and I have been telling you is true! Backed by official documentation taken from sources on various levels of the government, what you see here is quite easily checked out in your local library.

Those of us, who are resisting the destruction of our rightful system of government, and oppose our merging with communist-and-socialist totalitarians all over the world, feel duty bound to warn our fellow Americans. We wonder what is behind the problem that is paralyzing the will of some people to grasp the situation. Is it apathy? Is it fear? Is it shock and unacceptable disappointment which causes disbelief?

Hopefully, you are not one of these! ↘

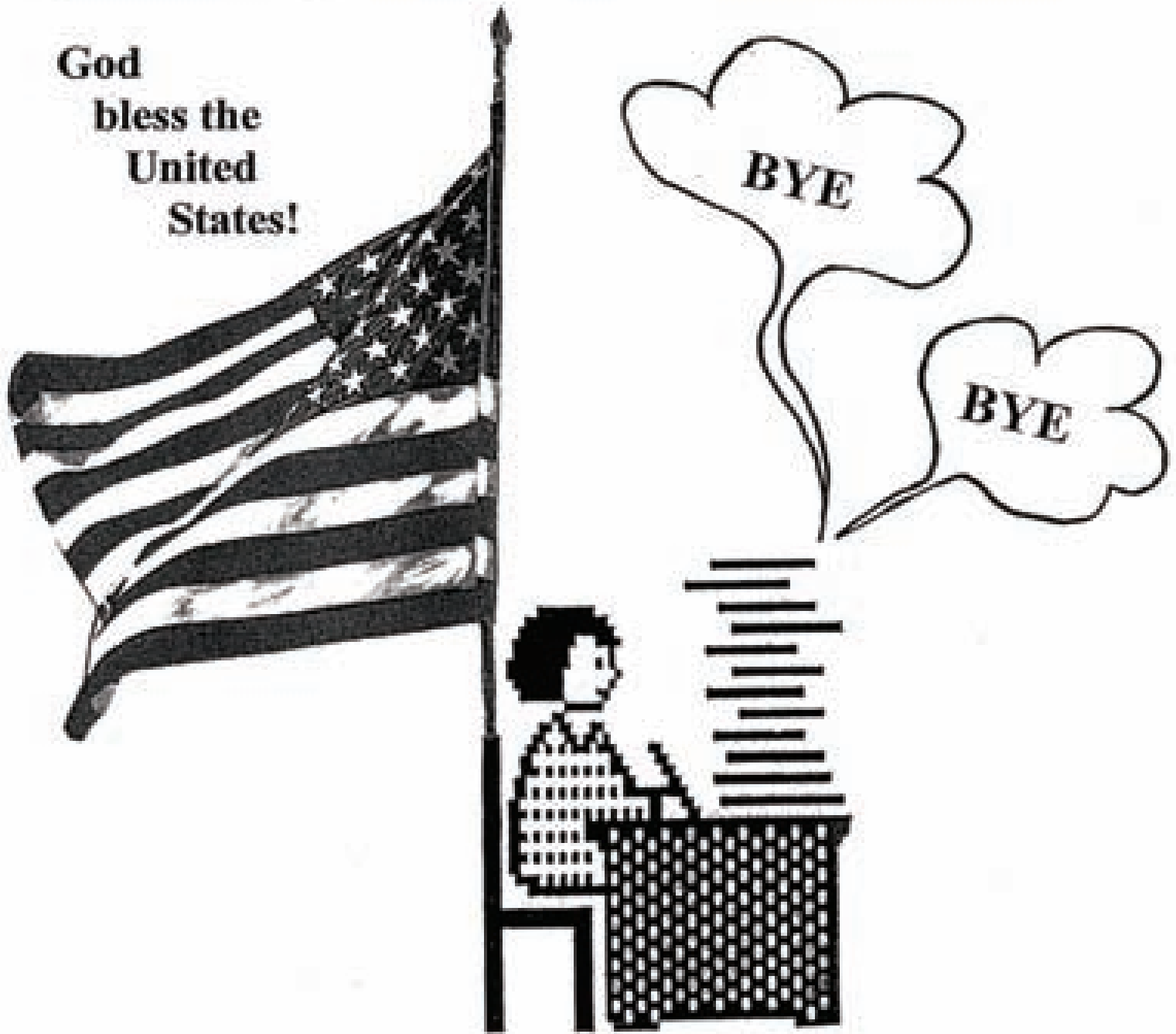
THE FATE OF THE DISBELIEVERS!



TOO FEW ARE WAKING UP.

Hate to rush off, but I *must* go! In closing, I want to tell you that the most patriotic act I could do for my country is to write "To Sink or Swim". The 24-page brief dissertation is the proper assessment of the problems before us. I hope it will connect the dots and clear the thinking for those who need it.

**God
bless the
United
States!**



"Since the general civilization of mankind, I believe there are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpation."
.....James Madison

"If tyranny and oppression come to this land, it will be in the guise of fighting a foreign enemy."
.....James Madison

CFR, Trilateral, Bilderberg

This chart illustrates the dominance by the Council on Foreign Relations, The Trilateral Commission and the Bilderberg of the major decision making processes and institutions of the United States of America over the last seventy years. Members are identified by "C", "T" or "B".

The Council on Foreign Relations is the American branch of a society which organized in England... (and)... believes national boundaries should be obliterated and one world rule established." [WITH NO APOLOGIES by Senator Barry Goldwater, Berkeley Books, New York, p 126]

"The Trilateral Commission is international... (and)... is intended to be the vehicle for multinational coordination of the commercial and banking interests by securing control of the political government of the United States." [WITH NO APOLOGIES, by Senator Barry Goldwater, Berkeley Books, New York, p 263]

Presidents of the United States

George Walker Bush
William J. Clinton
George Herbert Walker Bush
James Earl Carter
Gerald R. Ford, Jr.
Richard Milhous Nixon
Dwight D. Eisenhower
Herbert Clark Hoover

non-member

B.C.T
C.T
C.T
B.C
C
C
C

Vice Presidents of the United States

Richard B. Cheney
George H. W. Bush
Walter Mondale

C.T
C.T
B.C.T

Central Intelligence Agency Directors

George J. Tenet
William O. Studeman
John M. Duvitch
James Woolsey
Robert M. Gates
William H. Webster
William J. Casey
Stanfield Turner
George H. W. Bush
William E. Colby
James Schlesinger
Richard Helms
John A. McCone
Allen W. Dulles
Walter Bedell Smith

C
C
B.C.T
C
C
C
C
C
C
C
C
C
C
C
C

Chief of Staff - Army

Dennis J. Reimer
Gordon R. Sullivan
John A. Wickham, Jr.
Edward C. Meyer

C
C
C
C

Secretaries of Energy

William B. Richardson
James R. Schlesinger
Charles W. Duncan, Jr.

B.C
C
C

Directors of the FBI

William H. Webster
William D. Ruckelshaus

C
C.T

Secretaries of Health & Human Services

Donna E. Shalala
Joseph A. Califano, Jr.
Casper A. Weinberger
Elliot L. Richardson
Abraham A. Ribicoff

C.T
C
C.T
C.T
C

Secretaries of HUD

Henry G. Cisneros
Cats A. Hill
James T. Lynn

C.T
C.T
C.T

Secretary of Interior

Bruce E. Babbitt

C.T

Charles Schumer
Olympia J. Snows
Robert G. Torricelli

(D) NY
(R) ME
(D) NJ

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Howard L. Berman
Stanford D. Bishop, Jr.
Norman D. Dicks
Barney Frank
Richard A. Gephardt
Amory Houghton, Jr.
Henry Hyde
Nancy Lee Johnson
James T. Kolbe
James A. S. Leach
John P. Llewellyn
Robert T. Matsui
James A. McDermott
Eleanor Holmes Norton
Ed Pastor
Thomas E. Petri
Charles B. Rangel
Carlos A. Romero-Bucelo
John M. Spratt, Jr.

(R) ME
(D) CA
(D) GA
(D) WA
(D) MA
(D) MO
(R) NY
(R) IL
C.T
(R) AZ
(R) IA
GA
(D) CA
(D) WA
(D) DC
(D) AZ
(R) WI
(D) NY
(D) PR
(D) SC

Former U. S. Senators

Lloyd Bentsen
David L. Boren
Rudy Boschwitz
Edward Brooke
William L. Bradley
John H. Chafee
William S. Cohen

(D) TX
(D) OK
(D) MN
(R) MA
(D) NJ
(R) RI
(R) ME

B.C.T
C.T

J Dominance of the U.S.A.

The Bilderberg is a quasi-secret consortium of international elite who meet annually to plan world economic and political policies. The Bilderberg has no membership per se. Those identified with 'B' in this chart have attended past Bilderberg meetings.

Council on Foreign Relations

The Harold Pratt House
58 East 68th Street
New York, NY 10021

Tel. (212) 734-0400; FAX (212) 861-1789

The Trilateral Commission

345 E. 46th Street, New York, NY 10017
Tel. (212) 661-1180

Dave K. McDardy	OK	C
Susan K. Moinan	(D) NY	C
Jim Moody	WI	C
Donald M. Payne	(D) NJ	C
John Edward Porter	(R) IL	C
Opden R. Reid		C
William B. Richardson	(D) NM	C
Patricia Scott Schroeder	(D) CO	C
Charles Schumer	(D) NY	C
Peter Smith	VT	C
Stephen J. Solarz	(D) NY	C
Louis Stokes	(D) OH	C
Esteban Edward Torres	(D) CA	C
Robert G. Torricelli	(D) NJ	C
Vin Weber	MN	C
Charles W. Whalen, Jr.	CH	C
Howard Wolfe	MI	C

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Ruth Bader Ginsburg	Assoc. Jus. S.Ct.	C
Sandra Day O'Connor	Assoc. Jus. S.Ct.	C
Felix Frankfurter	Pres. Assoc. Jus. S.Ct.	C
Charles E. Hughes	Pres. Assoc. Jus. S.Ct.	C
Dudley Balcham Bonal	Dist. Ct. Judge, NY	C
Jose Alberto Cabranes	Dist. Ct. Judge, CT	C
William W. Schwarzer	Dist. Ct. Judge, CA	C
Laurence Hirsch Silberman	Cir. Ct. Ap. Judge, WA	C
Barrington D. Parker	Dist. Ct. Judge, NY	C
Richard Clark Allison	U.S. Claims Tribunal Judge, The Hague	C
Stephen Myron Schwab	Int. Ct. Judge, The Hague	C
Theodore Tannenwald, Jr.	Tax Ct. Sr. Judge	C

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Robert Strange McNamara	Pres. (Imr)	B, C, T
Raymond Vernon	Visiting Prof. (Imr)	B, C
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David A. Wirth	Exec. Asst.	C
Barbara Herz	Dir. Chief	C
Ann O. Hamilton	Dir.	C

Int'l Bank of Reconstruction & Develop.

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Andrew M. Karmack	Washington office	C

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Nicholas Burks Brinkley	Chairn & CEO	C
Rudolph A. Peterson	Chairn Exec Comm	B, C
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Ignazio E. Lozano, Jr.	Dir.	C

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Frank W. Hoch	Lt. Partner	C

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Joe Lewis Atkinson	Chmn., Regs Bank of Washington	C
M. Steyer Roberts	Exec. VP, USAA, San Antonio	C

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Vice Chmn. Bd. Gov. C,T
Vice Chmn. C
Chmn. Bd. (Inv) B,C,T
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. FR Bank, NY C
Dep. Chmn. C

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Warren Bruce Rudman
A. William Reynolds
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Sam Y. Cross

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Pres. & CEO C
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Chmn & CEO C,T

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Eugene K. Lawson
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Helen B. Junz
Richard David Erb

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Chmn. & CEO C,T
President & CEO C,T
V. Chmn (Inv) C
Sr. VP (Inv) C
Ch. Economist C
Director C
Director C,T

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Frederick Seitz
Tortalen Nils Wasel
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Johanna Bettsch Cole
Gerhard Casper
Richard Wall Lyman
Leila Fawaz
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Hanna Holborn Gray
James Harlan Cleveland
Edward Thaddeus Fooks, II
Theodore Martin Heitburgh
Martin Meyerson
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Robert Herschel Donaldson
Katherine Culbert Lyell
Eugene Paul Triani
William Henry Dantforth
Dale Rogers Marshall

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Vice Chmn. Bd. Gov. C,T
Vice Chmn. C
Chmn. Bd. (Inv) B,C,T
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. Bd. Gov (Inv) C
Chmn. FR Bank, NY C
Dep. Chmn. C

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\$ \$ THE BIGGEST C

The Comprehensive Annual Financial Report (CAFR) Exposed

By Walter J. Burian, Jr.
©December 17th 1999

This is a comprehensive disclosure of governmental financial operations that have been deliberately concealed and kept from the American people by the governmental financial agencies as well as by the syndicated media. The scope is huge: the personal financial impact of vital concern to all.

Do the people of this great land own the government or do the collective governments think they own the people? Is it time to mandate "effective action" through united efforts of the American people? Can David still sling the rock true and straight to hit its mark and defeat Goliath?

Are you aware that 30 years ago only 8-12% of the financial activity and ownership of our nation resulted from the activity of the government, but today the figure is conservatively 48%? We the People have been victimized by the largest organized syndicate on the face of the Earth. The Constitution declares that all political power is inherent in the people and that all powers not directly and specifically delegated to public servants remain with the people.

Our public servants are accountable to us and it's time we hold them accountable with genuine liability and cause the profits resulting from governmental activity to directly benefit the people!

I became aware of something approximately 10 years ago, which changed my life. I will give you a little analogy of how I learned about the complete financial takeover of the wealth of this country by composite government.

Back in 1989 I lived in New Jersey. There was a governor by the name of Jim Florio who was running for office under a no-new-tax platform. He won, and as soon as he got into office a \$2.8 billion tax increase was enacted—the largest in the state's history. It's obvious that the public was not too thrilled about Mr. Florio's actions and one of the local radio stations, 101.5 FM, started doing some rabble-rousing, taking calls from listeners on examples of waste and mispending in government. My first two days I was listening, and I heard people calling in with examples of \$5,000, \$15,000, \$85,000 was the highest figure I heard. I

for the total cash gross receipts. As I mentioned, what IRS would ask for in an audit. I found it on page 174.

Now this is 1989's Comprehensive Annual Financial Report. On page 174 under Cash Additions, all agencies, all departments, all sources, here's a state with a declared service budget of \$17 billion, who was bringing in \$65 billion, 799 million in cash. I saw that figure and instantly realized the definition of syndicated organized crime. Here, we had a representation to the public that the state of New Jersey was bringing in \$17 billion when in reality they were bringing in less to \$65 billion. They had \$188 billion in liquid investment funds. I also learned the principle of operation that day.

Anything that was a cost and an expense, traditional service side of the budget report, health and welfare, human services, motor vehicles, was left under the budgetary basis, and the public footed 100% of the bill for 100% of the services. Now, anything that was a profit center had the ability of being a profit center, large investment fund that generated tens and hundreds of millions of dollars, totally restricted by a statute for no tie or inclusion whatsoever with the budgetary basis.

Now, this is what I have called The Biggest Game in Town. I saw it first in New Jersey and I said the Comprehensive Annual Financial Report... here I am a Commodity Trading Advisor, I was doing a national news line coast to coast at the time and I never heard of the Comprehensive Annual Financial Report. I wanted to find out why it was mad. I mean, there was such a distinct difference between the revenue shown on the Comprehensive Annual Financial Report and the minuscule revenue that was shown now on the budgetary basis. I said, "Why did I not see this in a newspaper, radio show, TV show?"

Now, the department that mailed out the report the Comprehensive Annual Financial Report was from the Department of Treasury. I called the mailroom, and the mailroom usually doesn't get a call from the public, so they were very cooperative. I wanted to find out who the report was sent to. I thought it was a short list. They said, "I'm sorry, sir. The list is too long - we can't read it to you on the phone." So I start qualifying. I found out it was sent to every editor of every paper on the East coast. It was sent to the deans of all the colleges. It was sent to the CEO and every one of the directors from ABC, CBS, and NBC. When I verified that, I started smelting cooperative effort for non-acknowledgment. I then got the telephone number for ABC and NBC

than the private sector. We are state government, 35% the private sector. Now, when you look at stocks, as I Government I saw, had \$70 billion. That floored me. I never even thought state owning \$70 billion in stocks. Com state and federal on stock ownership \$32 billion. That's over 50% of the issued stocks from all exchanges in government sources. You won't have owning a phenomenal base in one thousands of the different cities, composite totals. They own over 5 individual corporations, Xerox Corporation. primary owners are composite government listed as institutional funds - when "funds" - that is government monies have a supposed public corporation composite government funds, I was corporation. I would say that's a good approximately 72% owned by composite is up around 42%, so on and so on. Up until this point when the composite I always thought government was a country and this was a free-market wrong. Basically, what the public had door open. In fact, 95% of the public vault? And those sharp little cracks much. Have a good day." The federal government, in 1981, governments prepare a Comprehensive every city, every county, every state Combined Financial Statement, if the Comprehensive Annual Financial Report. The background on the Comprehensive a group by the name of GFCOA, GAA Association, in 1940 created the GFCOA Reporting accounting structure. I produced one of the first ones in 19 Comprehensive Annual Financial Report quite a long time. There are 54,000 corporations, cities, counties, schools,

only thing I was aware of at that time. They had \$11 billion on budget, \$6 billion off budget, the total annual service budget was \$17 billion a year. I called in to the show and I made the comment, "Come on, guys, you're missing the whole point. The highest figure I heard was \$85,000. The state's dealing with billions of dollars." I read off the figures. I said, "If there's fraud, waste and mispending taking place, it's taking on hundreds of tens of millions, if not hundreds of millions of dollars." The DJ at that time challenged us, the listeners, to start a tax protest organization to repeal the \$2.5 billion tax increase.

Ten of us got together the next day and incorporated a group called Hands Across New Jersey. We scheduled our first rally ten days out from that point. And basically, with the help of 101.5, we had 115,000 people converge on Trenton from all the shore points in New Jersey, effectively straddling the city down. Now, during the course of organizing that rally, I took over looking at the budget, revenue and finance of the state.

For about fifteen years I was a Commodity Trading Advisor, I was one of the first tenants of the World Trade Center, back in 1973. And large figures didn't bother me—a hundred million and one dollar—there was no difference. So when I started looking at the figures on the New Jersey budget report, as I mentioned, there were \$11 billion on budget, \$6 billion off budget, it showed a net available of \$25.6 billion. Then, I asked myself the number one question that IRS asks in an audit.

What are the cash gross receipts? I started noticing the large cash cow groups in state government—the New Jersey Turnpike, Garden State Parkway, Port Authority of New York, and New Jersey. The revenue was not inclusive in the budget report. I didn't see any large returns from investment funds on the budget report. And I said, "They have to have two sets of books here. They're not accounting for the whole picture". The director of the budget at that time was an individual by the name of Richard Keeny. He was on vacation till the following Tuesday of that week. I found out who his lower assistant was, called in, and the conversation went just like this.

I said, "Hi, this is Walter Burin, I'm working on a report for Richard. Have to have it done by Tuesday when he gets back from vacation. I need all the figures on the autonomous agency accounts, interest accounts, investment accounts. And the reply I got was, "Oh, you want the Comprehensive Annual Financial Report". Bing!!! First time I ever heard that before in my lifetime. Got it that Friday. Started crunching numbers. It showed a total liquid investment funds of \$188 billion dollars — \$188 BILLION DOLLARS—of which common stock ownership \$70 billion, insurance company equity participation, \$14 billion, on loan to public and private corporations \$10 billion. And I started looking

on where the report was sent to. I called, and the conversation went just like this.

"Hi, this is Walter Burin calling from the Department of the Treasury. We've been sending you our Comprehensive Annual Financial Report for the last fourteen years and we're doing a logistical survey on how many other states are sending you their reports. Could you please help me?"

ABC was getting it from 36 states, NBC was getting it from 34 states. When I heard that, now I'm getting very mad. I'm starting to see a clear-cut cooperative effort for nondisclosure on the most important information that exists in this country. The extent of the financial take-over by composite government of the wealth of this country, with the full cooperation of the syndicated media for nondisclosure.

My next step was I called New York, got New York's Comprehensive Annual Financial Report, which showed approximately \$735 billion in liquid investment funds. I then got the city of Manhattan's report. Now, when I mention the Comprehensive Annual Financial Report, it's not just the state—the majority of all cities, counties, school districts, pension funds, autonomous agencies such as the New Jersey Turnpike or New York Thruway Authority, put out a Comprehensive Annual Financial Report. When I got Manhattan's report it showed liquid investment funds of \$1.2 trillion, more than the entire state.

My mind started getting bogged, thinking of the composite totals for all the states, all the cities, and all the counties.

Subsequently, over the last ten years I've been factoring in, compiling, the aspect of composite totals. The current figure stands at about \$60 billion plus, in liquid investment funds—the composite totals for all cities, counties, states, and the federal government. Now, you may say "Oh, wait a second here! I thought we were in debt for the state, in debt for our school districts, or in debt for the federal government". Well, let me explain something. I'm going to give you the biggest wake-up call in your life. This example holds true all across the country, for every city, county, and state and the federal government. You always hear the budgetary basis referenced—the budget report, the budget report."

Governments across this country on the city, county, state levels, and federal, have created a two-tier accounting structure. One, the annual operating budgets, the cost side of operating government for the year—the monies they bring in for the year to handle that cost and what they expend. What's being left out is the decades—the decades of investment wealth, enterprise ventures which generate hundreds of billions of dollars each year, which are not inclusive in the budgetary basis. When you start looking at composite totals of revenue and compare it to the private sector, government currently now is substantially bigger

composite totals of the revenue to the counties, the states—and you with federal government's revenue (According to) New Jersey's 1988 Financial Report, they have \$295 billion. That's just the state report. The hundreds cities and municipalities, separate reports. If you take the composite investment funds, you're well in excess of the population of New Jersey and comes out to a cash allocation of \$1.2 trillion living in the state or family of \$1.2 and some odd thousand dollars.

has been excessive.

Federal government's playing the game you break down the actual revenue—it belongs to the local governments—states—and one-third belongs to the federal.

In the appendix of the Federal is a list of significant government entities included are agencies which most of last column, down below, it says "from these statements." Now, they Federal Reserve Board of Government which I think we all know by now, they list the Federal Reserve, The Savings Plan, the Farm Credit System, Banks, financing corporations, Federal Reserve Resolution Funding Corporation, investment groups of government. Also, I want to make special note to the bottom. We have the Army and the Navy Exchange Service Commission. Exchange. Folks, this is not the PX for exchange of foreign troops to the foreign soil, which they kept separate. Financial Statement of the federal so easily seen. But if we take the federal cash cow investment groups and, very important, they have a plan on loan, that's been loaned out these receivables and their current cash is about a 16 trillion positive on the books. So, here, even the federal government the expense side—leaving it on the - they call that their budgetary basis—cash cow investment groups of fed

GAME IN TOWN \$\$\$

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51, as a large entity. So, the

report has been around for
separate government

districts, authorities, that

don't show on the budgetary basis. So, currently, the federal
Government shows a slight deficit on budgetary basis, but the
profit centers, which would show a \$10 billion positive, are
excluded.

We started our national exposure on the Comprehensive Annual
Financial Report and the structure behind it, you may have heard
on the network sees the feds saying, "Oh, by the way, we
happened to find we're going to have a \$5 trillion surplus going
into the year 2004." Keep in mind, that \$5 trillion surplus is on the
budgetary basis. They're not including the cash cow investment
agencies. If they were being 100% honest, inclusive of all
revenue, the federal government would have approximately a \$12
to \$14 trillion surplus. And, in fact, if they included the cash cow
investment agencies in with the budgetary basis, they could
probably have a 50% reduction across the board of all taxation,
on the federal side. Something to think about.

Let's go back to the local governments. The states, the cities, and
the counties, they have their budgetary basis, the annual
operating budget but they have enterprise funds. In my little city of
Prescott, Arizona, where I live, the city owns a golf course. Why
does the city own a golf course? So the judges and the attorneys
can get lower greens fees? Here is a \$45 million dollar asset
which is paid for by tax payer funds, developed, and not \$1 goes
back directly to support the budgetary basis. They have
investment funds sitting as idle funds - \$48 million.

With this much money out there, this phenomenal base of wealth,
empres that are being built, it is mandatory to keep the public
oblivious to what was going on. If the public was aware that this
type of wealth was being built and obfuscated as tax dollars are
being drained out of their pockets, where people are doing a
shortfall of budgetary revenue, there would have been an uprising
30 years ago. But the government, to perpetuate this game, they
needed the 100% cooperation of the syndicated media. That they
have. You will not see ABC, NBC, saying, "Oh, by the way, we just
happened to find out about the Comprehensive Annual Financial
Report." You will not see that happen. They have been in
cooperative non-disclosure for 25 years. That's why the situation
has taken place.

It's mandatory to get the word out. It's mandatory to have your
local radio show, your local TV show... call in, mention the
Comprehensive Annual Financial Report. Depending upon what

doing it, it's the principle of operation.
Every problem I've seen in this country to date has to do with
distortion of revenue from the public. It is the root of evil in this
country - the wealth being taken from the populace. And one of
the problems here is, a lot of people have been looking for the
needle in the haystack, trying to find government corruption and
wealth being stolen from us. Well, we're not looking for the needle
in the haystack here, folks. It's the haystack sitting on top of the
needle. As you have to do a look and start adding up the
composite figures. Stop being distracted by one leaf or branch or
tree in the forest. Start qualifying the forest. And when you do
you'll see the clear and unequivocal financial takeover of the
wealth of this country by composite government, right from the
city level to the state to the federal level. It's power mongering, it's
empire building. For the boys that are in there on the inner circle,
the wealth is absolute.

The game is absolute, and there is so much money behind the
game, and you have the participation of the syndicated media in
the game, the public really has not stood a chance. The only way
the public stands a chance is through full and open disclosure of
the wealth - not being distracted, just sitting down crunching
numbers. Not looking at one leaf, or branch or tree in the forest,
start looking at the forest, adding up the totals, and it becomes
evidently clear. Corrective action is needed and is needed
immediately. With the scope of the financial takeover that is in
existence today, they're consolidating that ownership. Within
several years you'll have composite government owning 85% of
the wealth in this country.

This is no game, folks. We've had our heritage stolen from us
right under our noses. As I mentioned, if you go back 25 years
ago government was about 8-9 percent of the GNP, currently
we're standing at over 48%, and that's a conservative figure.
That's a phenomenal amount of wealth. We have the largest
orchestrated syndicate on the face of the planet, which is
composite government wealth. A little notation. This is
supposed to be a country of laws, correct? Law is supposed to
protect people of this country, correct? Well, when I got New
Jersey's report, it had the pension plans listed, I didn't understand
pensions or the actuarial basis used. One of our Volunteers for
Hands Across New Jersey, he wrote the pension funds for Blue
Cross-Blue Shield nationally. I gave him the book, and I asked him
to break down the pension funds and compare them to a Fortune

100 start looking at the
1.54,000 reports - the cities
in the \$60 trillion inclusive

Comprehensive Annual
Report in liquid investment
there's 21 countries, a couple
autonomous agencies - all
reports totals of the liquid
assets of \$1.2 trillion. If you take
divide it into \$1.2 trillion, that
146,000 per man, woman and
child, that equals seven hundred
the obfuscation of the wealth

exact same game, but when
of the \$60 trillion, two-thirds of
the cities, countries and
the federal government

Combined Financial Statement
cities. The majority that are
people are familiar with, but the
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Give honorary mention to the
is and the Federal Reserve,
is basically private. But then
the Investment Board, the Thrift
the Federal Home Loan
able Mac, Fannie Mae, S&P
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three items that are listed at
Air Force Exchange Service,
and, the Marine Corps
We have funding operations
the U.S. - U.S. troops on the
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government so it wouldn't be
dual investment groups, the
1. and look at their revenue -
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ere... if you take the accounts
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Combined Financial Statement
s - but they've separated the
ent government so that they

city, what county, what state you're looking at the rate of the
budgetary basis, the annual service budget, to the reality of the
total wealth, usually ranges from a ratio of 8:1 to as high as 40:1
I briefed a federal auditor of 30 years. He was in charge of

auditing one of the largest federal agencies in the country and
also eight of the central western states prior to his retirement. He
was always looking at individual budget reports, the individual
leaves, branches and trees in the forest. And I briefed him on the
composite totals. Floored him! He looked, he verified, and three
months later he made the comment to me. He goes, "Walter, what
we have here in this country is 100% Communism under the
guise of a free market capitalist system." He goes, "The

government owns everything." (<http://www.cafman.com>) Now, the
public is constantly complaining about higher taxes, higher taxes,
more money being taken for this, for that. And they're conditioned
- year in, year out. We had the Boston Tea Party—I think it was for
a 3% tax on tea, caused the revolution. Here we've been
conditioned to 45% of our pay going back to government. And
when you look at all aspects of what the government's getting -
export tax, import tax, duties on manufacturing, the composite
total is phenomenal on the money that's taken by government.
On the government pension funds - city, county, state, federal -
they're standing at about \$28 trillion. The private sector will never
see \$28 trillion in their lifetime.

Talking also about the runaway freight train of growth on the city
level, the county level, the state level. If you go back 25 years
ago, government was approximately 6 to 8 percent of the GNP of
this country, gross national product total revenue base. Currently
today, composite government - city, county, state and federal - it's
48% of the GNP based on cash and ownership.

Let's look at the state of California, with approximately \$12 trillion
under management. Now, under the Comprehensive Annual
Financial Report you'll see a total of about \$3 trillion. But when
you start trading down the cities, the counties, all the revenue
base, you're up to about \$12 trillion. Now, in California, say for
example, one of the investment managers who is handling, say,
\$400 billion in funds, and he had, say, \$150 billion - with Shearson
Lehman Hutton American Express institutional banking. That's a
very powerful position. If that individual contacts the director of the
institutional banking, and said his brother in Argentina needed a
\$120 million loan in Argentina for a sugar cane energy
development project, unsecured, do you think he's going to say
NO? I don't think so. He'll have one of his associates from another
company that he deals with closely cut the loan. If it's defaulted on
he'll just make up the difference on some business he'll do with
that firm.

The power mongering and the elbow rubbing that takes place
here is obscene! And it's not just one group, one organization,

\$20 company. He told me it would take him about two weeks. Two
weeks later I check back and I say, "Well, what have you got?" He
goes, "Well, on a scale from 1 to 10, with the Johnson & Johnson
being a 5, all of New Jersey pensions came in at a 7, excluding
the judicial branch." He said the judicial branch was the millionaire
boys' retirement club.

Every state judge in New Jersey was guaranteed \$5 million after
serving one year tenure. In other words, they didn't have to work
five years, ten years, fifteen years, twenty years to get their
pension. All they had to do was their tenure - one year and they
got their full benefit package, which was excessive.

Now, let's go to federal. District court judges, how many of you
think that district court judges have a pension or retirement fund?
I guess you would assume they have a pension or retirement
fund. Well, they don't. District court judges are appointed for life.
They get their full paycheck for life and benefits for life. And, in
fact, two years ago they just took the action that when they die
they can assign their full paycheck and benefits for the life of their
surviving spouse or dependent relative. Now, that's a sweet deal.
In Part Two of this program, we'll be discussing what I call a CITA.
Citizens Investment Trust Account, which can be implemented by
initiative across this country. What the CITA is, it's an organization
started by the tax payers. They will have approximately two to
three CPAS, Certified Financial Auditors, who will examine the
books - city, county, state, as well as applicable to those residents
in that city, county and state to identify surplus funds, venture
projects - which, no way government should be involved in but the
private sector should be handling, which the CITA would
recommend for sale.

The CITA, upon identifying and recommending for re-
appropriation of the surplus revenue, and also sale of different
venture projects like golf courses and different other items which
cities and counties now own. The revenue that builds up in the
CITAs has one exclusive principle of operation. It's set up as
basically an annuity pension fund for the resident tax payer. From
the interest and dividend yield that's accomplished, it is to satisfy
the budgetary requirements of that city, county or state.

To download CAFR reports from the Internet go to:
<http://www.financenet.gov/ata/cacr.htm>

For more information on the CITA project or for
videos on the CAFR contact:
CEVI
P. O. Box 31121
Mesa, AZ 85275



SECOND AMENDMENT COMMITTEE

(309)582-8534

P.O. BOX 1776

HANFORD, CA 93232

November 12, 1990

Subject: New World Order

Dear Gun Owners:

Attached you will find a copy of Treaty #97-19. It is a constitution. This constitution is only one of many constitutions that the United Nations has "in force" upon the United States, causing our once free people to be merged with the communist nations of the world. This is the basis upon which President George Bush and the U.S. State Department hinge their authority for converting the United States system of government from a Constitutional Republic into a segment of the international socialist world government: the "New World Order",

The hand-entered comments in the margins are there either to highlight important sections of the treaty, or to offer additional pertinent information to show the dove-tailing with other United Nations documents that are in force (all being components of the worldwide command and control "New World Order").

This treaty is now in force worldwide, having been enacted on behalf of the American people, who not only DO NOT KNOW that this treaty exists, such less the serious changes that it will make in their lives as the treaty helps overthrow the United States Constitution. Consent of the governed has never been granted to permit such destructive treaties and changes.

Two hundred years ago our forefathers engineered the best form of government that could ever be created by man as it conforms to the natural law, places limits on the power that man can exercise over his fellow man, and safeguards our natural rights, which are an endowment from the Creator. This includes the right of the people to keep and bear arms.

The P.P.B.S. (Program, Planning, and Budgeting System referred to on page 5) is not an ordinary accounting system. It is a computerized command and control system, based upon predetermined goals and objectives. It is in operation in the United States in order to socialize the American people and their government in all the economic, social and political aspects of human endeavor. Government funding is granted only when recipients comply to given management performance.

Even though the attached Treaty #97-19 does constitute a great threat to the existence of our U.S. Constitution, and our gun rights, there are several recourses available to us, one of which is attached to this set of papers (see Rebus Sic Stantibus, a principle in international law by which treaties can be nullified). If we fail to stand against these intrusions to our sovereignty, our independence, our right to keep and bear arms, then we, as individuals, as a state, and as a nation, are paired!

Constitutionally yours,

SECOND AMENDMENT COMMITTEE

Bernadine Smith

Bernadine Smith

BS/jf
Attach.

THE UNITED NATIONS LOYALTY OATH

This is the loyalty oath to the United Nations, which all in our government must take who work for the United Nations. Their loyalty to the United Nations must supersede loyalty to the United States Constitution while the United Nations Charter goes on destroying the United States Constitution.

I solemnly swear to exercise in all loyalty, discretion and conscience, the functions entrusted to me as a member of the international service of the United Nations; to discharge those functions and regulate with the interests of the United Nations *only* in view, and not to seek or accept instructions in regard to the performance of my duty from any government or authority external to the Organization.

Note: Swilling upon us of the United Nations Charter was also done by unlawful use of the treaty-making power. Now the United Nations is calling for all U.S. citizens to be totally disarmed. Aided by Public Law 87-297, and other new laws, their disarmament treaties will confiscate every gun.

"The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against the tyranny in government.".....Thomas Jefferson

"Our peculiar security is in the possession of a written Constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty-making power as boundless. IF IT IS, then we have no Constitution! If it has bounds, they can be no others than the definitions of the powers which that instrument gives."Thomas Jefferson

"Before entering on so grave a matter as the destruction of our national fabric, with all its memories, its benefits, its hopes, would it not be wise to ascertain WHY we do it? Will you hazard so desperate a step, while there is any possibility that any portion of the ills you fly TO are GREATER than the ills you fly FROM? Will you risk the commission of so fearful a mistake?"Abraham Lincoln

"The Constitution shall never be construed....to prevent the people of the United States who are peaceable citizens from keeping their own arms."

..... Samuel Adams

"Let Mr. Madison tell me when did liberty ever exist when the sword and the purse were given up from the people? Unless a miracle shall interpose, no nation ever did, nor ever can retain its liberty after the loss of the sword and the purse." "Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force and whenever you give up that force, you are inevitably ruined."Patrick Henry

accomplished under UNIDO's current statute without withdrawal from the United Nations.

While the Constitution refers to the objectives of helping establish a new international economic order, the United States has made clear its view that this does not refer to any preconceived notion of such an order as outlined in some UN resolutions to which the United States has taken exception.

The Constitution offers the United States important advantages over UNIDO's current status. It provides an opportunity to increase UNIDO's effectiveness in promoting economic development in the developing countries and, thus, its contribution to a more equitable and peaceful international environment. In addition to helping create a better institutional framework, modification of the Constitution by the United States will be a strong reaffirmation of our commitment to the industrial development of the less developed countries and demonstrate our political will to pursue beneficial relations with those countries.

I recommend that the Senate give prompt consideration to the Constitution and advise and consent to its ratification.

HOWARD REAGAN.

*one added
to file*
*and
signed*

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, September 25, 1967.

This Document: I have the honor to submit to you, with a view to its transmission to the Senate for advice and consent to ratification, the Constitution of the United Nations Industrial Development Organization (UNIDO), adopted by the United Nations Conference on the Establishment of the United Nations Industrial Development Organization as a Specialized Agency on April 8, 1966, and signed on behalf of the United States of America on January 17, 1968.

The Constitution would establish UNIDO as an independent specialized agency of the United Nations system. UNIDO now exists as an organization formally within the United Nations itself, reporting to the General Assembly.

UNIDO has a mandate to provide developing countries with industrial-related technical assistance (worth \$76 million in 1968), including programs in industrial planning, institutional infrastructures, factory establishments and management, training, feasibility studies, and investment promotion. Virtually all of UNIDO's technical assistance expenditures are funded by voluntary sources, primarily the United Nations Development Program. UNIDO activities funded by the United Nations regular assessed budget (\$47 million in 1968) are largely in support of its technical assistance activities, and include: inter-economic studies of factors affecting industrialization; advice to LDC governments on development policies; industrial sector, regional, country and case studies; statistical data collection and analysis; expert group meetings including sectoral Consultations; information processing and investment promotion. UNIDO's highly diversified activities include many which are congenial to United States development priorities such as: employment generation, private sector development, basic human needs, appropriate technology, private rural and agricultural related development. American commercial and academic interests also benefit from UNIDO activity.

UNIDO was established as an organ of the United Nations General Assembly pursuant to United Nations General Assembly Resolutions 2050 (XIX), and 2152 (XXI), adopted in 1965 and 1966, respectively. In 1975, the United Nations General Assembly, endorsing the recommendation of the Second General Conference of UNIDO, adopted Resolution 3202 (S-VII) which established an intergovernmental committee of the whole followed by a conference of plenipotentiaries to draft and consider a constitution to transform UNIDO into a specialized agency of the United Nations. The intergovernmental committee of the whole met five times over a two-year period and was succeeded by the Conference on the Establishment of UNIDO as a Specialized Agency.

10-29-70

*Handwritten comments included here
are the work of Bernadine Smith
to speed your reading of document.*

The Constitution, while not creating a new entity, revives UNIDO's existing legal framework, significantly improving the provisions relating to control of budget and programming. Under the current regime, UNIDO's work program is decided upon by its governing body, the Industrial Development Board, while its program budget is set by the United Nations General Assembly as one component of the overall United Nations Program Budget. Thus, UNIDO's budget is currently not subject to intergovernmental review by a body directly responsible for UNIDO activities; nor do the present institutional arrangements, by which all questions are decided by majority vote, adequately reflect the special interest of major donors.

The Constitution seeks to correct these defects by providing that the program and budget of UNIDO shall both be acted upon by three governing bodies in succession: the Program and Budget Committee (the Committee), the Industrial Development Board (the Board), and the General Conference (the Conference). Each body must decide on the program and budget by a two-thirds majority vote. In the Committee and the Board, the industrial democracies and the Soviet bloc (i.e., the major donors) hold substantially more than a third of the vote and thus could, if most of them agree, block adoption of a program or budget. (The Soviets have traditionally taken a very conservative position on budgetary issues.) The Constitution thereby establishes for the first time in the United Nations system outside of the banking institutions, a special recognition of the special interest of major donor states in United Nations affairs. The Committee is therefore a precedent setting document, representative to the political realities of the 1960's and beyond.

The Constitution and the related resolutions on transition to specialized agency status also achieve another objective of the United States in that they do not mandate any increase in United States contributions to UNIDO, but only change the method of assessment and payment in ways beneficial to the United States. Currently, United States annual contributions to UNIDO are determined and paid indirectly through the mechanism of the United Nations annual budget, making it difficult for the United States to achieve a degree of influence within UNIDO commensurate with the level of those indirect contributions. The Constitution will move toward correcting this situation by instituting direct assessed budget payments to UNIDO and providing for assessments to be determined in a manner similar to the determination of the program and budget, with major donor states holding more than a third of the vote in the Board which must decide on assessments by a two-thirds majority.

It is also noteworthy that United Nations General Assembly Resolution 66 (XXXIV) on Transitional Arrangements on the Establishment of the United Nations Industrial Development Organization as a Specialized Agency provides for the termination of United Nations funding for UNIDO from the United Nations regular program budget and a corresponding reduction in this budget upon establishment of UNIDO as a specialized agency.

The Constitution consists of a preamble, twenty-nine articles (in six chapters) and three annexes. The Preamble states that the States Parties, while bearing in mind the "broad objectives" of resolutions

adopted by the sixth and seventh special sessions of the United Nations General Assembly and the Second General Conference of UNIDO pertaining to the establishment of a new international economic order, substantive declarations regarding economic, technological, legal, etc. include the necessity of establishing a net and equitable economic and social order; the essential role of industrialization in rapid economic and social development; the right of all countries to pursue industrialization; the necessity of concerted measures to promote the development, transfer and adaptation of technology internationally; and a determination to promote the common welfare through expanding international economic cooperation. The Preamble is basically hortatory, and contains no operational links to the rest of the Constitution.

The objectives and functions of UNIDO are contained in Chapter I. Article 1 states that the primary objective of UNIDO will be the promotion and acceleration of industrial development in the developing countries with a view to assisting in the establishment of a new international economic order. The language used in the Constitution, as indicated in the statement of the United States at the time of adoption of the Constitution, can be interpreted to make clear that Article I, in UNIDO's participation in an evolutionary and transitional process to achieve a new international economic order and that Article I does not refer to any preconstituted notion of a new international economic order as outlined in certain resolutions of the United Nations General Assembly sixth and seventh special sessions, regarding which the United States has reservations.

Article 2 lists the functions of UNIDO, all related to promoting industrial development and basically similar to the functions specified in UNIDO's current statute. General Assembly resolution 2132 (XXI). The more important functions include: coordinating United Nations industrial development activities; providing technical assistance for industrialization, including training and pilot facilities; promoting industrial information exchanges; advising and assisting developing countries in formulating and executing development plans; assisting in the establishment and operation of institutions to achieve full utilization of local human and natural resources; and as requested by the countries concerned, providing a forum for contacts and negotiations.

Chapter II provides for participation in UNIDO. Membership is open to all States members of the United Nations or a specialized agency. Article 5 provides for withdrawal from membership, not possible now without withdrawing from the United Nations, subject to providing a reasonable period of notice. The right of withdrawing from UNIDO alone may provide useful leverage, although actual withdrawal would entail a difficult decision.

Chapter III establishes the organs of UNIDO. Article 8 specifies a General Conference composed of all members which will act upon the reports of the Board and the Director-General and determine the guiding principles and policies of the organization. Article 9 provides for the Board to be composed of 33 members elected by the Conference, with the following distribution of seats: 23 members elected from the 61-77 (developing countries), 15 members elected from Group B (industrialized democracies) and 5 members elected from Group D (the

Handwritten notes:
 - "The Preamble is basically hortatory" (with arrow pointing to Preamble text)
 - "The language used in the Constitution, as indicated in the statement of the United States at the time of adoption of the Constitution, can be interpreted to make clear that Article I, in UNIDO's participation in an evolutionary and transitional process to achieve a new international economic order and that Article I does not refer to any preconstituted notion of a new international economic order as outlined in certain resolutions of the United Nations General Assembly sixth and seventh special sessions, regarding which the United States has reservations." (with arrow pointing to Article 1 text)
 - "The more important functions include: coordinating United Nations industrial development activities; providing technical assistance for industrialization, including training and pilot facilities; promoting industrial information exchanges; advising and assisting developing countries in formulating and executing development plans; assisting in the establishment and operation of institutions to achieve full utilization of local human and natural resources; and as requested by the countries concerned, providing a forum for contacts and negotiations." (with arrow pointing to Article 2 text)

Handwritten note:
 - "THE P.P. 6.5 TO BE INCLUDED" (with arrow pointing to Article 5 text)

Soviet bloc). Article 10 establishes a Program and Budget Committee to consist of 27 members elected by the Conference with the following distribution: 13 from the G-77, 9 from Group B, and 5 from Group D.

Chapter IV delineates the process for approval of the program of work and the regular budget (i.e., the budget expenditures to be met from assessed contributions) and the operational budget (i.e., budget expenditures to be met from voluntary contributions). Article 14 stipulates that the Director-General shall prepare and submit a draft work program, regular budget and operational budget to the Board through the Committee. The Committee will consider the Director-General's proposals and make recommendations to the Board by a two-thirds majority vote of those present and voting. The Board will examine the Director-General's proposals and the recommendations of the Committee and adopt the program of work, regular budget and operational budget, for submission to the Conference, by a two-thirds majority of those present and voting. The Conference will approve the submission of the Board by a two-thirds majority vote of those present and voting. The Conference may make no decision or amendment involving expenditures unless the Committee and the Board have had an opportunity to act as indicated above. By consensus more than a third of the votes in the Board and the Committee, the major donor States (i.e., Groups B and D), which share a common desire to keep United Nations agency budgets to a reasonable level, will be able to block work program and budgets of which they disapprove, if they act together.

Article 15 provides that the scale of assessments for members shall be established by the Conference by a two-thirds majority of the members present and voting, upon a recommendation of the Board adopted by a two-thirds majority of the members present and voting. The Board's recommendation is to be based on a draft prepared by the Committee. The Constitution thereby provides a mechanism for the major donors as a group to veto a scale of assessments which they disapprove. Article 15 also stipulates that the scale of assessments shall be based to the extent possible on the scale most recently employed by the United Nations and no member shall be assessed more than 25 percent of the regular budget.

Chapter VI covers legal matters. Article 23 provides for amendments, with special, stringent provisions for amendments to financial articles. Financial amendments must be approved by two-thirds majorities of the Board and Conference respectively and must be ratified by three-fourths of the Member States. This provision protects the blocking more than a third of the votes which major donors command in the Committee and Board.

Article 25 stipulates that the Constitution shall enter into force when at least thirty States that deposited instruments of ratification notify the Secretary-General of the United Nations that they have agreed, after consultations among themselves, that the Constitution shall enter into force. However, for States that had deposited instruments of ratification but did not participate in such notification, the Constitution shall come into force on such later date as they choose.

note

The practical effect of the entry into force provisions is that the Constitution will not enter into force without the agreement and participation of major donors, including the United States. Once the Senate has given its advice and consent to ratification, this agreement will afford the United States a strong position to ensure that the basic consensus of the United States such as budgetary restraint, are taken into account - they are!

Article 27 states that no reservations may be made to the Constitution. A major problem in the constitutional negotiations was to balance the desire of major contributing countries for control over the regular budget with the insistence by developing countries that funding for technical assistance activities continue to be available on an assessed basis. Under current arrangements, a portion of UNIDO's activities in the field of technical assistance is financed by assessments from the regular budget of the United Nations. Under Annex II of the Constitution, 6% of the regular budget of UNIDO will be set aside for technical assistance activities which have heretofore been financed by assessed contributions to the United Nations budget. The six percent figure sets a constitutional ceiling on the portion of the new organization's regular budget which can be devoted to technical assistance. All other technical assistance activities must be financed by voluntary contributions. Since the United States together with the other major contributing countries will have more than a third of the votes in the Board, which must approve the regular budget by a two-thirds majority vote, we will have substantial influence on the overall figures with regard to which the 6% technical assistance figure will be calculated and, therefore, over the absolute amount of technical assistance expenditures from the regular budget.

The combined effect of the 6 percent ceiling, the major donors having more than a blocking third of the votes, and the withdrawal provisions will provide the United States with much greater capacity than presently exists to ensure that regular budget funds for technical assistance are used for programs which we believe should qualify for such funding. In this connection, the United States representative to the Constitutional Conference placed on the record our view that technical assistance financed by assessments, "must fill gaps which would be difficult for the UNDP, with its country specific focus, or other voluntary funds to fill. Specifically, such technical assistance would deal with emergency situations and financial activities that primarily benefit the entire international community, not a single country."

There has been growing recognition in UNIDO of the need to achieve a true consensus on development questions if UNIDO is to cope effectively with development problems. At the same time, there has been growing recognition within the United States of the need for the United Nations to be more responsive to our basic programmatic and budgetary concerns, especially in light of the large United States assessed contributions. The Constitution of UNIDO is a product of both of these movements. It gives an already existing institution a new mechanism of decision-making which provides special recognition of the essential role of major contributors, including the United States. In this way, it is truly a precedent setting document.

The P.P.B. system (very bad).

noty: UN on their "level free" - every of world is called states. (UN's states)

Kind of these problems.
 Desiring to establish, within the terms of Chapter IX of the Charter of the United Nations, a specialized agency to be known as the United Nations Industrial Development Organization (UNIDO) (hereinafter referred to as the "Organization"), which shall play the central role in and be responsible for reviewing and promoting the co-ordination of all activities of the United Nations system in the field of industrial development, in conformity with the responsibilities of the Economic and Social Council under the Charter of the United Nations and with the applicable relationship agreements,
 Have agreed to the present Constitution.

CHAPTER I.—OBJECTIVES AND FUNCTIONS

Article 1

Objectives

The primary objective of the Organization shall be the promotion and acceleration of industrial development in the developing countries with a view to assisting in the establishment of a new international economic order. The Organization shall also promote industrial development and co-operation at global, regional and national, as well as sub-national levels.

Handwritten notes:
 → World Bank
 → Regional Development
 → UNIDO

Functions

In fulfillment of its foregoing objectives, the Organization shall generally take all necessary and appropriate action, and in particular shall:

- (a) Encourage and extend, as appropriate, assistance to the developing countries in the promotion and acceleration of their industrialization, in particular in the development, expansion and modernization of their industries;
- (b) In accordance with the Charter of the United Nations, initiate, coordinate and follow up the activities of the United Nations system with a view to enabling the Organization to play the central coordinating role in the field of industrial development;
- (c) Create new and develop existing concepts and approaches in respect of industrial development on global, regional and national, as well as on sectoral levels, and carry out studies and surveys with a view to formulating new lines of action directed towards harmonious and balanced industrial development, with due consideration for the methods employed by countries with different socio-economic systems for solving industrialization problems;
- (d) Promote and encourage the development and use of planning techniques, and assist in the formulation of development, scientific and technological programmes and plans for industrialization in the public, cooperative and private sectors;
- (e) Encourage and assist in the development of an integrated and interdisciplinary approach towards the accelerated industrialization of the developing countries;
- (f) Provide a forum and act as an instrument to serve the developing countries and the industrialized countries in their contacts, con-

Handwritten notes:
 → the family of the world
 → V.N. system
 → Regional Development
 → UNIDO

ultations and, at the request of the countries concerned, negotiations directed towards the industrialization of the developing countries;
 (g) Assist the developing countries in the establishment and operation of industries, including agro-related as well as basic industries, to achieve the full utilization of locally available natural and human resources and the production of goods for domestic and export markets, as well as contribute to the self-reliance of these countries;

(h) Serve as a clearing-house for industrial information and accordingly collect and disseminate on a selective basis, analyses and generate for the purpose of dissemination information on all aspects of industrial development on global, regional and national, as well as on sectoral levels, including the coverage of experience and technological advancements of the industrially developed and the developing countries with different social and economic systems;

(i) Devote particular attention to the adoption of special measures aimed at assisting the least-developed, land-locked, and island developing countries, as well as those developing countries most seriously affected by economic crises and natural calamities, without losing sight of the interest of the other developing countries;

(j) Promote, encourage and assist in the development, selection, adaptation, transfer and use of industrial technologies, with due regard for the socioeconomic conditions and the specific requirements of the industry concerned, with special reference to the transfer of technological know-how to the developing countries, as well as to assist the developing countries themselves;

(k) Organize and support industrial training programmes aimed at assisting the developing countries in the training of technical and other appropriate categories of personnel needed at various phases for their accelerated industrial development;

(l) Advise on and assist, in close co-operation with the appropriate bodies of the United Nations, specialized agencies and the International Atomic Energy Agency, the developing countries in the exploration, conservation and local transformation of their natural resources for the purpose of furthering the industrialization of developing countries;

(m) Provide pilot and demonstration plans for accelerating industrialization in particular sectors;

(n) Develop special measures designed to promote co-operation in the industrial field among developing countries and between the developed and developing countries;

(o) Assist, in co-operation with other appropriate bodies, the regional planning of industrial development of the developing countries within the framework of regional and interregional groupings among these countries;

(p) Encourage and promote the establishment and strengthening of industrial, business and professional associations, and similar organizations which would contribute to the full utilization of the internal resources of the developing countries with a view to developing their national industries;

(q) Assist in the establishment and operation of institutional infra-structures for the provision of regulatory, advisory and developmental services to industry;

(r) Assist, at the request of Governments of the developing countries, in obtaining external financing for specific industrial projects on fair, equitable and mutually acceptable terms.

CHAPTER II—MEMBERSHIP

Members

Membership in the Organization is open to all States which associate themselves with the objectives and principles of the Organization.

(a) States members of the United Nations or of a specialized agency of the International Atomic Energy Agency may become Members of the Organization by becoming parties to this Constitution in accordance with Article 24 and paragraph 2 of Article 25.

(b) States other than those referred to in subparagraph (a) may become Members of the Organization by becoming parties to this Constitution in accordance with paragraph 3 of Article 24 and subparagraph 2(c) of Article 25, after their membership has been approved by the Conference, by a two-thirds majority of the Members present and voting, upon the recommendation of the Board.

Article 4

Observers

1. Observer status in the Organization shall be open, upon request, to those enjoying such status in the General Assembly of the United Nations, unless the Conference decides otherwise.

2. Without prejudice to paragraph 1, the Conference has the authority to invite other observers to participate in the work of the Organization.

3. Observers shall be permitted to participate in the work of the Organization in accordance with the relevant rules of procedure and the provisions of this Constitution.

Article 5

Suspension

1. Any Member of the Organization that is suspended from the exercise of the rights and privileges of membership of the United Nations shall automatically be suspended from the exercise of the rights and privileges of membership of the Organization.

2. Any Member that is in arrears in the payment of its financial contributions to the Organization shall have no vote in the Organization if the amount of its arrears equals or exceeds the amount of the assessed contributions due from it for the preceding two fiscal years. Any organ may, nevertheless, permit such a Member to vote in that organ if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Article 6

Withdrawal

1. A Member may withdraw from the Organization by depositing an instrument of denunciation of this Constitution with the Depository.

This is not true! - universal commitments are planned - mandatory commitments are planned

2. Such withdrawal shall take effect on the last day of the fiscal year following that during which such instrument was deposited.
3. The contributions to be paid by the withdrawing Member for the fiscal year following that during which such instrument was deposited shall be the same as the assessed contributions for the fiscal year during which such deposit was effected. The withdrawing Member shall in addition fulfil any unconditional pledges it made prior to such deposit.

CHAPTER III—ORGANS

Articles 7

Principles and subsidiary organs

1. The principal organs of the Organization shall be:
(a) The General Conference (referred to as the "Conference");
(b) The Industrial Development Board (referred to as the "Board");
(c) The Secretariat.

2. There shall be established a Executive and Budget Committee to assist the Board in the preparation and examination of the programme of work, the regular budget and the operational budget of the Organization and other financial matters pertaining to the Organization.
3. Other subsidiary organs, including technical committees, may be established by the Conference or the Board, which shall give due regard to the principles of equitable geographical representation.

Article 8

General Conference

1. The Conference shall consist of representatives of all Members.
2. (a) The Conference shall hold a regular session every two years, unless it decides otherwise. Special sessions shall be convened by the Director-General at the request of the Board or of a majority of all Members.
(b) Regular sessions shall be held at the seat of the Organization, unless otherwise determined by the Conference. The Board shall determine the place where a special session is to be held.

3. In addition to exercising other functions specified in this Constitution, the Conference shall:

- (a) Determine the guiding principles and the policies of the Organization;
(b) Consider reports of the Board, of the Director-General and of the subsidiary organs of the Conference;

(c) Approve the programme of work, the regular budget and the operational budget of the Organization in accordance with Article 14, establish the scale of assessments in accordance with Article 15, approve the financial regulations of the Organization and supervise the effective utilization of the financial resources of the Organization;

(d) Have the authority to adopt, by a two-thirds majority of the Members present and voting, conventions or agreements with respect to any matter within the competence of the Organization and to make recommendations to the Members concerning such conventions or agreements;

*PRINCIPLES ARTICLES 7
3. BOARD*

*DES PRBS
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SYSTEM
MEMBERS
CONFERENCE*

*DEVELOPMENT
THE WORLD
ORDER*

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P.P.D.S.
FUNCTIONS
CONFERENCE*

PARA



(c) Make recommendations to Members and to international organizations with respect to matters within the competence of the Organization;

(f) Take any other appropriate action to enable the Organization to further its objectives and carry out its functions.

4. The Conference may delegate to the Board such of its powers and functions as it may consider desirable, except for those provided for in: Article 3, subparagraph (b); Article 4; Article 8, subparagraphs 3(a), (b), (c) and (d); Article 9, paragraph 1; Article 10, paragraph 1; Article 11, paragraph 2; Article 14, paragraphs 4 and 6; Article 15; Article 18; Article 20, subparagraphs 2(b) and 3(b); and Annex I.

5. The Conference shall adopt its own rules of procedure.

6. Each Member shall have one vote in the Conference. Decisions shall be made by a majority of the Members present and voting unless otherwise specified in this Constitution or in the rules of procedure of the Conference.

Article 7

Industrial Development Board

1. The Board shall consist of 23 Members of the Organization elected by the Conference, which shall give due regard to the principle of equitable geographical distribution. In electing the members of the Board the Conference shall observe the following distribution of seats: 23 members of the Board shall be elected from the States listed in Parts A and C, 13 from the States listed in Part B, and 3 from the States listed in Part D of Annex I to this Constitution.

2. Members of the Board shall hold office from the close of the regular session of the Conference at which they were elected until the close of the regular session of the Conference four years thereafter, except that the members elected at the first session shall hold office from the time of such election and one half shall hold office only until the close of the regular session two years thereafter. Members of the Board may be re-elected.

3. (a) The Board shall hold at least one regular session each year at such times as it may determine. Special sessions shall be convened by the Director-General at the request of a majority of all members of the Board.

(b) Sessions shall be held at the seat of the Organization, unless otherwise determined by the Board.

4. In addition to exercising other functions specified in this Constitution or delegated to it by the Conference, the Board shall:

- (a) Acting under the authority of the Conference, review the implementation of the approved programme of work and of the corresponding regular budget and operational budget, as well as of other activities of the Conference;
- (b) Recommend to the Conference a scale of assessments for regular budget expenditures;

(c) Report to the Conference at each regular session on the activities of the Board;

(d) Request Members to furnish information on their activities related to the work of the Organization;

(e) In accordance with the decisions of the Conference and having regard to circumstances arising between sessions of the Board or the

THE CHAIRMAN OF THE BOARD -
FOR THE WORKS OF THE CONFERENCE

(CHAIRMAN)

MEMBERS OF THE BOARD USED FOR WORK OF CONFERENCE

Conference, authorize the Director-General to take such measures as the Board deems desirable to meet unforeseen events with due regard to the functions and financial resources of the Organization;

(f) If the office of Director-General becomes vacant between sessions of the Conference, appoint an Acting Director-General to serve until the next regular or special session of the Conference;

(g) Prepare the provisional agenda for the Conference;

(h) Undertake such other functions as may be required to further the objectives of the Organization subject to the limitations stipulated in this Constitution.

3. The Board shall adopt its own rules of procedure.

4. Each member of the Board shall have one vote. Decisions shall be made by a majority of the members present and voting unless otherwise specified in this Constitution or in the rules of procedure of the Board.

5. The Board shall invite any Member not represented on the Board to participate without vote in its deliberations on any matter of particular concern to that Member.

Article 10

Programme and Budget Committee

1. The Programme and Budget Committee shall consist of 27 Members of the Organization elected by the Conference, which shall give due regard to the principle of equitable geographical distribution. In electing the members of the Committee the Conference shall observe the following distribution of seats: 15 members of the Committee shall be elected from the States listed in Parts A and C, 9 from the States listed in Part B, and 3 from the States listed in Part D of Annex I to this Constitution. In designating their representatives to serve on the Committee, States shall take into account their personal qualifications and experience.

2. Members of the Committee shall hold office from the close of the regular session of the Conference at which they were elected until the close of the regular session of the Conference two years thereafter. Members of the Committee may be re-elected.

3. (a) The Committee shall hold at least one session each year. Additional sessions shall be convened by the Director-General at the request of the Board or the Committee.

(b) Sessions shall be held at the seat of the Organization, unless otherwise determined by the Board.

4. The Committee shall:

- (a) Perform the functions assigned to it in Article 11;
- (b) Prepare the draft scale of assessments for regular budget expenditures, for submission to the Board;

(c) Exercise such other functions with respect to financial matters as may be assigned to it by the Conference or the Board;

(d) Report to the Board at each regular session on all activities of the Committee and submit advice or proposals on financial matters to the Board on its own initiative.

5. The Committee shall adopt its own rules of procedure.

6. Each member of the Committee shall have one vote. Decisions shall be made by a two-thirds majority of the members present and voting.

Article 11

Secretariat

THE CHIEF OF THE ADMINISTRATIVE ARM OF THE NEW WORLD ORDER

1. The Secretariat shall comprise a Director-General, as well as such Deputy, Director-General and other staff as the Organization may require.

2. The Director-General shall be appointed by the Conference upon recommendation of the Board for a period of four years. He may be reappointed for a further term of four years, after which he shall not be eligible for reappointment.

3. The Director-General shall be the chief administrative officer of the Organization. Subject to general or specific directives of the Conference or the Board, the Director-General shall have the overall responsibility and authority to direct the work of the Organization. Under the authority of and subject to the control of the Board, the Director-General shall be responsible for the appointment, organization and functioning of the staff.

4. In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any governmental or from any authority external to the Organization. They shall refrain from any action that might reflect on their position as international officials responsible only to the Organization. Each Member undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.

5. The staff shall be appointed by the Director-General under regulations to be established by the Conference upon recommendation of the Board. Appointments at the level of Deputy Director-General shall be subject to approval by the Board. The conditions of service of staff shall conform as far as possible to those of the United Nations common system. The paramount consideration in the employment of the staff and in determining the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting staff on a wide and equitable geographical basis.

6. The Director-General shall act in that capacity at all meetings of the Conference, of the Board and of the Programme and Budget Committee, and shall perform such other functions as are entrusted to him by these organs. He shall prepare an annual report on the activities of the Organization. In addition, he shall submit to the Conference or to the Board, as appropriate, such other reports as may be required.

CHAPTER IV.—MEMBERSHIP OF WORKING MECHANISMS

Article 12

Expenses of delegations

Each Member and observer shall bear the expenses of its own delegation to the Conference, to the Board or to any other organ in which it may participate.

Article 13

Composition of budgets

1. The activities of the Organization shall be carried out in accordance with its approved programme of work and budgets.
2. The expenditures of the Organization shall be divided into the following categories:

- (a) Expenditures to be met from assessed contributions (referred to as the "regular budget"); and
 - (b) Expenditures to be met from voluntary contributions to the Organization, and such other income as may be provided for in the financial regulations (referred to as the "operational budget").
3. The regular budget shall provide for expenditures for administration, research, other regular expenses of the Organization and for other activities, as provided for in Annex II.
4. The operational budget shall provide for expenditures for technical assistance and other related activities.

Article 14

Programme and budgets

1. The Director-General shall prepare and submit to the Board through the Programme and Budget Committee, at a time specified in the financial regulations, a draft programme of work for the following fiscal period, together with the corresponding estimates for those activities to be financed from the regular budget. The Director-General shall, at the same time, submit proposals and financial estimates for those activities to be financed from voluntary contributions to the Organization.

2. The Programme and Budget Committee shall consider the proposals of the Director-General and submit to the Board its recommendations on the proposed programme of work and corresponding estimates for the regular budget and the operational budget. Such recommendations of the Committee shall require a two-thirds majority of the Members present and voting.

3. The Board shall examine the proposals of the Director-General together with any recommendations of the Programme and Budget Committee and adopt the programme of work, the regular budget and the operational budget, with such modifications as it deems necessary, for submission to the Conference for consideration and approval. Such adoption shall require a two-thirds majority of the Members present and voting.

4. (a) The Conference shall consider and approve the programme of work and the corresponding regular budget and operational budget submitted to it by the Board, by a two-thirds majority of the Members present and voting.
(b) The Conference may make amendments in the programme of work and the corresponding regular budget and operational budget, in accordance with paragraph 6.

5. When required, supplementary or revised estimates for the regular budget or operational budget shall be prepared and approved in accordance with paragraphs 1 to 4 above and the financial regulations.

REQUIRED "LOYALTY" TO WORLD GOVERNMENT (SEE CAPTION REQUIRED) BUT LOYALTY TO U.S. CONSTITUTION NO LONGER POSSIBLE.

6. No resolution, decision or amendment involving expenditures, which has not already been considered in accordance with paragraphs 2 and 3, shall be approved by the Conference unless it is accompanied by an estimate of expenditures prepared by the Director-General. No resolution, decision or amendment in respect of which expenditures are anticipated by the Director-General shall be approved by the Conference until the Programs and Budget Committee and subsequently the Board, meeting concurrently with the Conference, have had an opportunity to act in accordance with paragraphs 2 and 3. The Board shall submit its decisions to the Conference. The approval by the Conference of such resolutions, decisions and amendments shall require a two-thirds majority of all Members.

Article 16

Annual contributions

1. Regular budget expenditures shall be borne by the Members, as apportioned in accordance with a scale of assessment established by the Conference by a two-thirds majority of the Members present and voting, upon the recommendation of the Board, adopted by a two-thirds majority of the members present and voting, on the basis of a draft prepared by the Programs and Budget Committee.

2. The scale of assessments shall be based to the extent possible on the scale used recently employed by the United Nations. No Member shall be assessed more than twenty-five percent of the regular budget of the Organization.

Article 16

Voluntary contributions to the Organization

Subject to the financial regulations of the Organization, the Director-General, on behalf of the Organization, may accept voluntary contributions to the Organization, including gifts, bequests and donations, made to the Organization by governments, intergovernmental or non-governmental organizations or other non-governmental sources, provided that the conditions attached to such voluntary contributions are consistent with the objectives and policies of the Organization.

Article 17

Industrial Development Fund

In order to increase the resources of the Organization and to improve its ability to meet promptly and fulfill the needs of the developing countries, the Organization shall have an Industrial Development Fund which will be financed through the voluntary contributions in the Organization provided for in Article 16, and other income as may be provided for in the financial regulations of the Organization. The Director-General shall administer the Industrial Development Fund in accordance with the general policy guidelines governing the operations of the Fund that are established by the Conference, or by the Board acting on behalf of the Conference, and in accordance with the financial regulations of the Organization.

Article 18

Relations with the United Nations

The Organization shall be brought into relationship with the United Nations as one of the specialized agencies referred to in Article IV of the Charter of the United Nations. Any agreement concluded in accordance with Article 41 of the Charter shall require the approval of the Conference, by a two-thirds majority of the Members present and voting, upon the recommendation of the Board.

Article 19

Relations with other organizations

1. The Director-General may, with the approval of the Board and subject to guidelines established by the Conference:

(a) Enter into agreements establishing appropriate relationships with other organizations of the United Nations system and with other intergovernmental and governmental organizations.

(b) Establish appropriate relations with non-governmental and other organizations the work of which is related to that of the Organization. When establishing such relations with national organizations the Director-General shall consult with the governments concerned.

2. Subject to such agreements and relations, the Director-General may establish working arrangements with such organizations.

INTERGOVERNMENTAL ORGANIZATIONS

OTHER ORGANIZATIONS

GOVERNMENTAL ORGANIZATIONS

NON-GOVERNMENTAL ORGANIZATIONS

CHAPTER VI.—LEGAL MATTERS

Article 20

Seat

1. The seat of the Organization shall be Vienna. The Conference may change the seat by a two-thirds majority of all Members.

2. The Organization shall conclude a headquarters agreement with the Host Government.

Article 21

Legal capacity, privileges and immunities

1. The Organization shall enjoy in the territory of each of its Members such legal capacity and such privileges and immunities as are necessary for the attainment of its functions and for the fulfillment of its objectives. Representatives of Members and officials of the Organization shall enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

2. The legal capacity, privileges and immunities referred to in paragraph 1 shall:

(a) In the territory of any Member that has acceded to the Convention on the Privileges and Immunities of the Specialized Agencies in respect of the Organization, be as defined in the standard clauses of that Convention as modified by an annex thereto approved by the Board;

to give to host we are to give to our sovereignty and our firearms.

More monetary strengthening of the system for world conquering.

(b) In the territory of any Member that has not acceded to the Convention on the Privileges and Immunities of the Specialized Agency, a respect of the Organization but has acceded to the Convention on the Privileges and Immunities of the United Nations, be as defined in the latter Convention, unless such State notifies the Depository on depositing its instrument of ratification, acceptance, approval or accession that it will not apply this Convention to the Organization; the Convention on the Privileges and Immunities of the United Nations shall cease to apply in the Organization thirty days after such State has notified the Depository;

(c) He as defined in other agreements entered into by the Organization.

Article 23

Settlement of disputes and requests for advisory opinions

1. (a) Any dispute among two or more Members concerning the interpretation or application of this Constitution, including its annexes, that is not settled by negotiation shall be referred to the Board unless the parties concerned agree on another mode of settlement. If the dispute is of particular concern to a Member not represented in the Board, that Member shall be entitled to be represented in accordance with rules to be adopted by the Board.

(b) If the dispute is not settled pursuant to paragraph 1(a) to the satisfaction of any party to the dispute, that party may refer the matter: either, (1) if the parties so agree:

- (A) to the International Court of Justice; or
- (B) to an arbitral tribunal;

or, (1) otherwise, to a constitution commission.

The rules concerning the procedures and operation of the arbitral tribunal and of the conciliation commission are laid down in Annex III to this Constitution.

2. The Conference and the Board are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Organization's activities.

Article 24

Amendments

1. At any time after the second regular session of the Conference any Member may propose amendments to this Constitution. Texts of proposed amendments shall be promptly communicated by the Director-General to all Members and shall not be considered by the Conference until ninety days after the dispatch of such communication.

2. Except as specified in paragraph 3, an amendment shall come into force and be binding on all Members when:

- (a) It is recommended by the Board to the Conference;
- (b) It is approved by the Conference by a two-thirds majority of all Members; and

(c) Two-thirds of the Members have deposited instruments of ratification, acceptance or approval of the amendment with the Depository.

3. An amendment relating to Article 6, 9, 10, 13, 14 or 23 or to Annex II shall come into force and be binding on all Members when:

- (a) It is recommended by the Board to the Conference by a two-thirds majority of all members of the Board;
- (b) It is approved by the Conference by a two-thirds majority of all Members; and
- (c) Three-fourths of the Members have deposited instruments of ratification, acceptance or approval of the amendment with the Depository.

Article 25

Signature, ratification, acceptance, approval and accession

1. This Constitution shall be open for signature by all States specified in subparagraph (a) of Article 3, until 7 October 1978 at the Federal Ministry for Foreign Affairs of the Republic of Austria and subsequently at United Nations Headquarters in New York until the date this Constitution enters into force.

2. This Constitution shall be subject to ratification, acceptance or approval by existing States. Instruments of ratification, acceptance or approval of such States shall be deposited with the Depository.

3. After the entry into force of this Constitution in accordance with paragraph 1 of Article 24, States specified in subparagraph (a) of Article 3 that have not signed this Constitution, as well as States approved for membership pursuant to subparagraph (b) of that Article, may accede to this Constitution by depositing instruments of accession.

Article 26

Entry into force

1. This Constitution shall enter into force when at least eight States that had deposited instruments of ratification, acceptance or approval notify the Depository that they have agreed, after consulting among themselves, that this Constitution shall enter into force.

2. This Constitution shall enter into force:

- (a) For States that participated in the notification referred to in paragraph 1, on the date of the entry into force of this Constitution;
- (b) For States that had deposited instruments of ratification, acceptance or approval before the entry into force of this Constitution but did not participate in the notification referred to in paragraph 1, on such later date on which they notify the Depository that this Constitution shall enter into force for them;
- (c) For States that deposit instruments of ratification, acceptance, approval or accession subsequent to the entry into force of this Constitution on the date of such deposit.

Handwritten notes:
 U.S.A. had to the date 1980.
 of ratification...
 2. An amendment...
 Annex II shall come into force...
 (a) It is recommended...
 (b) It is approved...
 (c) Three-fourths...
 of all Members; and
 of the Members have deposited...
 of ratification, acceptance or approval...
 the Depository.

Handwritten note:
 ALL DONE

Handwritten notes:
 ALL DONE
 GOVERNMENT
 TO GOVERNMENT

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 ALREADY DONE

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 GOVERNMENT
 TO GOVERNMENT
 GOVERNMENT

THIS CONSTITUTION IS UNDER THE INFLUENCE AND CONTROL OF COMMUNIST DOMINATED UNITED NATIONS

Article 26

Transitional arrangements

- 1. The Depository shall convene the first session of the Conference to be held within three months following the entry into force of this Constitution.
- 2. The rules and regulations governing the organization established by United Nations General Assembly resolution 2122 (XXI) shall govern the Organization and its organs until such time as the latter may adopt new provisions.

Article 27

Reservations

No reservations may be made in respect of this Constitution.

Article 28

Depository

- 1. The Secretary-General of the United Nations shall be the Depository of this Constitution.
- 2. In addition to notifying the States concerned, the Depository shall notify the Director-General of all matters affecting this Constitution.

Article 29

Authentic texts

This Constitution shall be authentic in Arabic, Chinese, English, French, Russian and Spanish.

Lists of States

- 1. If a State that is not listed in any of the lists below becomes a Member, the Conference shall decide, after appropriate consultation, in which of those lists it is to be included.
- 2. The Conference may at any time, after appropriate consultation, change the classification of a Member as listed below.
- 3. Changes in the lists below that are made in accordance with paragraph 1 or 2 shall not be considered amendments within the meaning of Article 25.

Lists

[The lists of States to be included by the Depository in this Annex are the lists determined by the General Assembly of the United Nations for the purpose of paragraph 4 of section II of its resolution 2122 (XXI), as in effect on the date this Constitution enters into force.]

ALREADY DONE

ANNEX II

The regular budget

- A. 1. Administration, research and other regular expenses of the Organization shall be deemed to include:
 - (a) Interregional and regional activities;
 - (b) Short-term advisory services provided by the staff of the Organization;

- (c) Meetings, including technical meetings, provided for in the programme of work financed from the regular budget of the Organization;
- (d) Programme support costs arising from technical assistance projects, to the extent that these costs are not reimbursed to the Organization by the source of financing of such projects.

2. Concrete proposals conforming to the above provisions shall be implemented after consideration by the Programme and Budget Committee, adoption by the Board and approval by the Conference, in accordance with Article 14.

B. In order to improve the effectiveness of the Organization's programme of work in the field of industrial development, the regular budget shall also finance other activities heretofore financed out of Section B of the United Nations Regular Budget, in the amount of 6 per cent of the total of the regular budget. These activities shall strengthen the Organization's contribution to the United Nations development system taking into account the importance of utilizing the United Nations Development Programme country programming programme, which is subject to the consent of the countries concerned, as a means of reference for these activities.

ANNEX III

Rules concerning arbitral tribunals and conciliation commissions

Unless otherwise agreed by all the Member parties to a dispute that has not been settled pursuant to paragraph 1(a) of Article 22 and that has been referred to an arbitral tribunal pursuant to subparagraph 1(b)(1)(B) of Article 22 or to a conciliation commission pursuant to subparagraph 1(b)(2), the following rules shall govern the procedure and operation of such tribunals and commissions:

I. Initiation

Within three months of the conclusion by the Board of its consideration of a dispute referred to it pursuant to paragraph 1(a) of Article 22 or, if it does not conclude its consideration within eighteen months of such referral, then within twenty-one months of such referral, all the parties to the dispute may notify the Director-General that they wish to refer the dispute to an arbitral tribunal or any such party may notify the Director-General that it wishes to refer the dispute to a conciliation commission. If the parties had agreed an another mode of settlement, then such notification may be made within three months of the conclusion of that special procedure.

F. Establishment

- (a) The parties to the dispute shall, by their unanimous decision, agreement, as appropriate, three arbitrators or three conciliators, and shall designate one of them as President of the tribunal or commission.
- (b) If within three months of the notification referred to in paragraph 1 above one or more members of the tribunal or commission have not been so appointed, the Secretary-General of the United Nations

THE U.N.'S "STATES" CLAIMED TO BE ALL THE COUNTRIES OF THE WORLD! (A FEMERATED)

NEW WORLD ORDER

shall, at the request of any party, within three months of such request designate any members, including the President, then still required to be appointed.

(c.) If a vacancy arises on the tribunal or commission, it shall be filled within one month in accordance with paragraph (a) or there- after in accordance with paragraph (b).

4. Procedure and Operation

(a) The tribunal or commission shall determine its own rules of procedure. All decisions on any question of procedure or substance may be reached by a majority of the members.

(b) The members of the tribunal or commission shall receive remuneration as provided in the financial regulations of the Organization. The Director-General shall provide any necessary secretarial, in consultation with the President of the tribunal or commission. All expenses of the tribunal or commission and its members, but not of the parties to the dispute, shall be borne by the Organization.

4. Awards and Reports

(a) The arbitral tribunal shall conclude its proceedings by an award, which shall be binding on all the parties.

(b) The conciliation commission shall conclude its proceedings by a report addressed to all the parties to the dispute, which shall contain recommendations to which these parties shall give serious consideration.

I hereby certify that the foregoing text is a true copy of the Constitution of the United Nations Industrial Development Organization, adopted at Vienna on 8 April 1979, the original of which is deposited with the Secretary-General of the United Nations.

For the Secretary-General: The Legal Counsel



United Nations, New York, 11 October 1979.

○

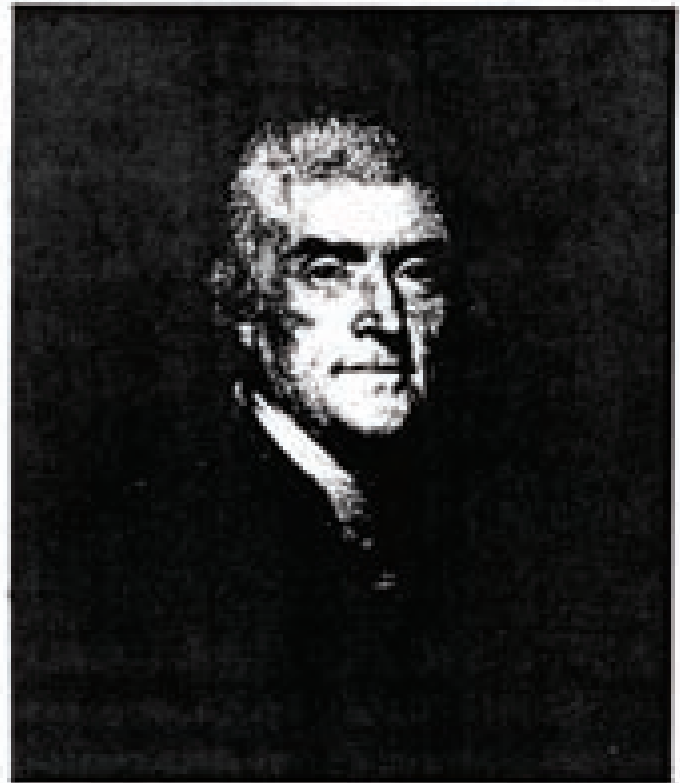
The printed + hand set notes in the margins were done to aid the reader of this document to better understand the attachments also.

Bernadine Smith

10-29-90

Thomas Jefferson

ON TREATIES



"I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man."

TREATIES, Power to Make, Limited.—By the general power to make treaties, the Constitution must have intended to comprehend only those objects which are usually regulated by treaty and cannot be otherwise regulated. ... It must have meant to except out of these the rights reserved to the states, for surely the President and Senate cannot do by treaty what the whole government is interdicted from doing in any way.

—*Manual of Parliamentary Practice*, Bergh 2:442. (1801.)

Our peculiar security is in the possession of a written Constitution. Let us not make it a blank paper by construction. I say the same as to the opinion of those who consider the grant of the treaty-making power as boundless. If it is, then we have no Constitution. If it has bounds, they can be no others than the definitions of the powers which that instrument gives.

"The opinion which gives to the judges the right to decide which laws are constitutional, and what not, would make the judiciary a despotic branch."

....September 1804 - Thomas Jefferson

"The judiciary of the United States is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric."

....Thomas Jefferson

← PLEASE READ THESE QUOTES
PRINTED IN BERGH'S MANUAL
WHICH QUOTE OUR 3RD PRES-
IDENT, THOMAS JEFFERSON ON
THE SUBJECT OF TREATIES.

"The government of the United States....is one of limited powers. It can exercise authority over no subjects except those that have been delegated to it. Congress cannot, by legislation, enlarge the federal jurisdiction, nor can it be enlarged under the treaty-making power."

...Supreme Court Opinion of 1836.



"Let Mr. Madison tell me when did liberty ever exist when the sword and the purse were given up from the people? Unless a miracle shall interpose, no nation ever did, nor ever can retain its liberty after the loss of the sword and the purse."
..... Patrick Henry

"Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force and whenever you give up that force, you are inevitably ruined."
..... Patrick Henry

According to Section 256 of Volume Sixteen of American Jurisprudence, Second, "The general rule is that an unconstitutional statute... though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose... An unconstitutional law, in legal contemplation, is as imperoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and nullifies no acts performed under it... No one is bound to obey an unconstitutional law and no courts are bound to enforce it.

Friends of Patrick Henry

P. O. Box 1776
Menford, CA 93232

18. The usefulness and permanency of this Government and the happiness of the millions over whom it spreads its protection will be best promoted by carefully abstaining from the exercise of all powers not clearly granted by the Constitution.

JAMES K. POLK
Vice Message, Dec. 15, 1847, *Ibid.*, p. 2474

"Our liberty depends upon freedom of the press, and that can not be limited without being lost."

.....Thomas Jefferson

"The entire and absolute freedom of the press is essential to the preservation of government on the basis of a free constitution."

.....Daniel Webster

(Today the press denies us the publication of what the government is doing in P.L. 87-2971)

9. I am determined to uphold the Constitution... to the utmost of my ability and in defiance of all personal consequences. What may happen to an individual is of little importance, but the Constitution of the country, or any of its great and clear principles and provisions, it is sacred to be surrendered under any circumstances whatever to those who are charged with its protection and defense.

JOHN TYLER
Protest, Aug. 30, 1842, *Messages and Papers*, p. 2046

Note: If you have no armed forces, you have no Constitution. The latter depends upon the people's ability to support and maintain armed forces.

Patriotism And Presidents

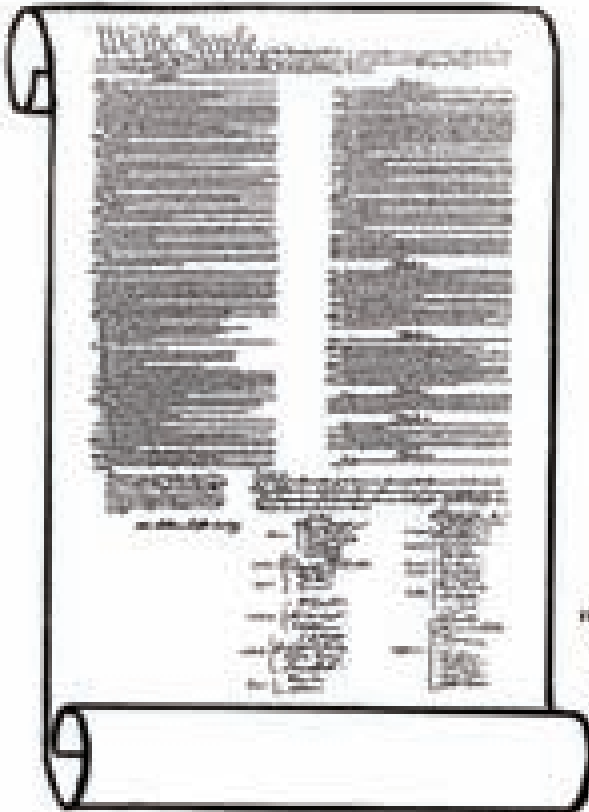
Patriotism means to stand by the country.

It does not mean to stand by the President or any other public official save exactly to the degree in which he himself stands by the country.

It is patriotic to support him insofar as he efficiently serves the country. It is unpatriotic not to oppose him to the exact extent that by inefficiency or otherwise he fails in his duty to stand by the country.

In either event, it is unpatriotic not to tell the truth—whether about the President or anyone else—save in the rare cases where this would make known to the enemy information of military value which would otherwise be unknown to him.

—THEODORE ROOSEVELT



WRITTEN TO BE IN PERPETUITY

"The advice nearest to my heart and deepest in my convictions is, that the Union of the states be cherished and perpetuated."

.....James Madison, Advice to My Country: Conclusion.

"Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained....."

.....Geo. Washington, Farewell Address
September 17, 1796

"It is of infinite account that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discourteously whatever may suggest even a suspicion that it can in any event be abandoned....."

.....Geo. Washington, Farewell Address
September 17, 1796

"Whatever follies we may be led into as to foreign nations, we shall never give up our Union."

.....Thomas Jefferson to Elbridge Gerry, May 13, 1797

"....and the Union shall be perpetual....."

....."Articles of Confederation" of the 13 original states. Perpetual is said six times in the text.

"When any one State in the American Union refuses obedience to the Confederation by which they have bound themselves, the rest have a natural right to compel them to obedience."

.....Thomas Jefferson, Jan. 24, 1786

"The Constitution, in all its provisions, looks to an indissoluble Union composed of indestructible states..."

.....Salmon P. Chase, U.S. Supreme Court 1864 - 1873 Decision, in Texas v. White 7 Wallace 725

"I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union, and the perpetuity of popular government; and to redress wrongs already long enough endured."

.....Abraham Lincoln April 15, 1861

"A house divided against itself cannot stand...it will become all one thing or all the other."

.....Abraham Lincoln June 1858

"That we here highly resolve that these dead shall not have died in vain, that this nation under God shall have a new birth of freedom, and that Government of the people, by the people, for the people, shall not perish from the earth."

.....November 19, 1863 Address by Abraham Lincoln in Gettysburg

"At every hazard and every sacrifice this Union must be preserved."

.....Andrew Jackson, Farewell Address
March 4, 1837

"It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States, and the people and States in the said territory, and forever remain unalterable....."

.....An act to provide for the Government of the Territory Northwest of the River Ohio Aug. 7, 1789

"If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."

.....Thomas Jefferson, First Inaugural Address, March 4, 1801

"We the people of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this Constitution."

.....California Constitution of 1849

"The governments of the past could fairly be characterized as devices for maintaining in perpetuity the place and position of certain privileged classes.... The Government of the United States is a device for maintaining in perpetuity the rights of the people, with the ultimate extinction of all privileged classes."

.....Calvin Coolidge, Speech Philadelphia
September 25, 1924

"At what point then is the approach of danger to be expected? I answer if it ever reach us it must spring up amongst us; it cannot come from abroad. If destruction be our lot, we ourselves must be its author and finisher. As a nation of free men we must live through all time or die by suicide."

.....Abraham Lincoln, Perpetuation of our Political Institutions.

"Liberty and Union, now and forever, one and inseparable!"

.....Daniel Webster, Speech on Foote's Resolution, Jan 26, 1830

"The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them from invasion; and on application of the Legislature, or of the executive against domestic violence ."

.....Art. IV Section 4 U.S. Constitution

".....to secure the blessings of liberty to ourselves and our posterity....."

.....Preamble to the United States Constitution, September 17, 1787

".....to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;....."

.....Article I Section 8 Paragraph 15
United States Constitution

"I do solemnly swear that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

.....Article II Section 1, Paragraph 8 of U.S. Constitution - Oath of office to be taken by the U.S. President.
(Written expressly by the Founding Fathers for all future presidents.)

Sec. 4. There shall also be appointed by the Commander-in-Chief, by and with the advice and consent of the Senate, one Major-General of Division, and one Brigadier-General to each brigade, who shall be citizens of the United States, and serve-fully residents of the division or brigade for which they shall be appointed. They shall hold their offices for the term of four years, and until their successors are appointed and qualified.

STAFF OF DIVISIONS, BRIGADES, REGIMENTS, BATTALIONS.

Sec. 5. The staff of the Major-General of Division shall consist of one Assistant Adjutant-General, with the rank of Lieutenant-Colonel; two Aides-de-Camp, with the rank of Major; one Engineer Officer; one Ordnance Officer; one Quartermaster; one Commissary; one Paymaster; one Division Inspector; one Judge-Advocate, and one Surgeon, with the rank of Lieutenant-Colonel; and four Staff Orderlies, with the rank of Sergeant-Major. The staff of the Adjutant-General shall consist of one General of Brigade shall consist of one Assistant Adjutant-General, with the rank of Major; one Aide-de-Camp, with the rank of Captain; one Engineer Officer; one Ordnance Officer; one Quartermaster; one Commissary; one Paymaster; one Brigade Inspector; one Judge-Advocate, and one Surgeon, with the rank of Major; and two Staff Orderlies, with the rank of Lieutenant-Colonel, or a Major, commanding a battalion, as hereinafter provided, shall consist of one Adjutant and one Assistant Surgeon, each with the rank of First Lieutenant; and one Sergeant-Major, to be appointed by each commanding officer; the Adjutant being selected from the list, as in the United States Army.

HOW APPOINTED.

Sec. 6. The General of Division, the Generals of Brigade, the Adjutant-General, shall appoint the officers of their respective divisions and brigades. Any officer of a regiment, battalion, or company, receiving and accepting any such appointment, except that of Adjutant, shall be considered as ipso facto resigning his commission in such regiment, battalion, or company. All such staff officers will continue to hold their offices until their successors shall have been appointed and commissioned, except as is herein otherwise provided for troops called into active service.

COMMISSIONS.

Sec. 7. All military officers appointed or elected under the laws of this State, shall be commissioned by the Governor, and such commissions shall be countersigned by the Secretary of State, and attested by the Adjutant-General, or officer acting in his place, and the officer so commissioned shall take the oath of office prescribed by the Constitution, before some officer authorized by law to administer oaths, a copy of which oath shall be indorsed on, or attached to, each commission, and a

This California law repeatedly refers to the "enrolled militia."

CHAP. CXXCVI.—An Act to relation to the Militia of the State.
 [Approved April 24, 1853.]

The People of the State of California, represented in Senate and Assembly, do enact as follows:

COMMANDER-IN-CHIEF.

SECTION 1. The Governor, as Commander-in-Chief of the militia of this State, shall issue commissions to all officers appointed or elected, under the provisions of this Act. The military staff of the Commander-in-Chief shall consist of one Adjutant-General, with the rank of Brigadier-General; six Aides-de-Camp, with the rank of Lieutenant-Colonel; one Chief Engineer; one Paymaster-General; one Judge-Advocate-General, and one Sergeant-General, each with the rank of Colonel.

ADJUTANT-GENERAL.

Sec. 2. The Adjutant-General shall be appointed by the Commander-in-Chief, by and with the advice and consent of the Senate, and shall hold his office for the term of two years. He shall be, ex officio, Chief of Staff, Quartermaster-General, Commissary-General, Inspector-General, and Chief of Ordnances. He shall receive a salary of three thousand dollars annually, to be paid out of moneys appropriated for that purpose. He shall reside at the seat of government, and shall keep his offices open, for the transaction of business, every day, (Sundays excepted,) from ten o'clock, A. M., to three o'clock, P. M.

OTHER OFFICERS OF GENERAL STAFF.

Sec. 3. Other officers of the general staff, and all other officers of this State, shall be commissioned by the Governor, and attested by the Secretary of State, and the officer so commissioned shall take the oath of office prescribed by the Constitution, before some officer authorized by law to administer oaths, a copy of which oath shall be indorsed on, or attached to, each commission, and a

certified copy of the same shall be made out by the officer administering it, and delivered to the officer taking it, and by him transmitted to the Adjutant-General, and the commission shall be deemed as taking effect on the day of the instrument and transmission of the certificate of the oath, as herein provided. In case of promotion, the commission shall take effect from its date. Commissions shall run at the pleasure of the Commander-in-Chief, except as it herein otherwise provided.

TERM OF ADJUTANT-GENERAL.

Sec. 8. It shall be the duty of the Adjutant-General to take charge of, and to carefully guard and preserve, and to account for, all arms, accoutrements, munitions, ordnance stores, and other military property belonging to this State, or granted to it by the Congress of the United States. He shall keep and file in his office, all returns, reports, and military correspondence, made by him, in accordance with the provisions of this Act. He shall also keep an account of all moneys received and expended by him. The manner of keeping these accounts and papers, when not otherwise provided by law, shall be directed by the Commander-in-Chief, and they shall be always subject to his inspection. He shall, on or before the second Monday in December, of each year, make to the Governor, to be by him laid before the Legislature, a report of all the transactions of his department since his last annual report, containing—

First—An account of all moneys received and expended.
Second—An account of all arms, accoutrements, munitions, ordnance stores, and military property of every description, belonging to the State, from what sources received, to whom issued, or how expended, and by whose order.

Third—A statement of the present condition of all such property under his charge, and if any such property shall not be under his charge, he shall state in whose possession the same may be.

Fourth—The number, strength, and condition, of the organized militia, and the strength of the enrolled militia of the State. He shall also make and transmit an annual return of the militia of this State, pursuant to the requirements of the Act of Congress, of March second, eighteen hundred and three, to the President of the United States, a copy of which, duly certified, he shall lay before the Commander-in-Chief of the State. He shall also perform all other duties appertaining to his office, or which may be enjoined on him by law. He shall be the medium of military correspondence with the Commander-in-Chief.

Sec. 9.

Before entering upon the duties of his office he shall give bonds, to The People of the State of California, with good and sufficient sureties, to be approved by the Governor, in the sum of twenty-five thousand dollars, conditioned that he shall faithfully perform all the duties enjoined on him by law. If at any time the Governor shall deem the sureties so given to be insufficient, he shall require the Adjutant-General to give new

sureties, to be approved by him; and if the Adjutant-General shall refuse or neglect to do so, the Governor shall suspend him from office, and immediately report his proceedings to the Senate, if the Legislature be in session, and if not, then at the beginning of the next session; and if the Senate approve such suspension, it shall be regarded as a removal from office, but if the Senate disapprove of the suspension, the Adjutant-General shall resume the duties of his office. During the time of his suspension from office he shall receive no portion of his salary; but if such suspension be disapproved, he shall receive his back pay.

ADJUTANT-GENERAL AS ITINERANT.

Sec. 10. During the suspension of the Adjutant-General from office, or his absence, or inability, from any cause, to perform his duties, the Governor may appoint some competent person to perform the duties of Adjutant-General ad interim.

TO TURN OVER RECEIPTS.

Sec. 11. On the expiration of his term of office, the Adjutant-General, or the person performing his duties ad interim, shall turn over to his successor, in good order, all arms, ordnance, ordnance stores, and other property, belonging to the State, and all the books, papers, bonds, and money, in his charge, and pertaining to his office.

WHO SUBJECT TO MILITARY DUTY.

Sec. 12. Every able-bodied, white male inhabitant, of this State, between the ages of eighteen and forty-five years, not exempt by law, shall be subject to military duty, and shall be organized and drilled as hereinafter directed.

Sec. 13. The following persons are exempted from military duty and equipment: All ministers of religion, having a license, or written evidence, according to the rules of their particular persuasion, or organizations, that they are such ministers; all civil and military officers of the United States; all officers of foreign governments; all civil officers (including members of the Legislature,) of the State of California; all persons who have been wounded in the service of the State, or of the United States, and all persons exempted from military duty by the laws of the United States.

EXEMPTIONS AND ASSESSMENTS.

Sec. 14. The District, or County, Assessor, of each and every tax revenue district, or county, in this State, shall, at the same time in each year, when he prepares a roll containing the taxable inhabitants of his district, or county, send all the inhabitants of his district, or county, under all the inhabitantia of his district, or county, subject to military duty, which list, or roll, shall be sworn to by him, and delivered to the Clerk of the Board of Supervisors, in the same manner, and at the same time as is provided by law for the civil tax list, or assessment roll, and

the Clerk of the Board of Supervisors shall keep the same open for inspection, as is provided by law for the civil assessment roll.

Sec. 15. The Board of Equalization shall correct the said military assessment roll at the same time and in the same manner as is prescribed by law for the correction of the civil tax list; and it shall be the duty of the said Clerk to deliver to the Brigadier-General of the brigade in which the company belongs a copy of said list, certified by him, within ten days after the Board of Equalization shall have completed their corrections; and the compensation allowed for making out said military list shall be the same, or be determined and fixed in the same manner as for making out the assessment list.

RECOVERY OF AMMUNITION AND WEAPONS OR EQUIPMENTS.

Sec. 16. If any person shall neglect or refuse to perform any of the duties required of him by this Act, he shall be subject to the same penalties, liabilities, and punishments, as is provided by law for a neglect, or refusal, to perform any of the duties required of him for the assessment of the civil taxes; and, moreover, he shall forfeit and pay the sum of not less than three hundred and not more than one thousand dollars, to be used for the benefit of the People of the State, by the District Attorney of the respective county, and recovered in the name of The People of the State, and paid into the General Fund of the State; and if the Clerk of the Board of Equalization shall neglect or refuse to make and deliver to the Brigadier-General of the brigade in which the company belongs the duplicate of the military assessment roll, as directed in this Act, he shall forfeit and pay the sum of not less than two hundred and not more than five hundred dollars, to be used for and recovered in the same manner as is provided in this section with respect to the Assessment.

ORGANIZATION OF VOLUNTEER COMPANIES.

Sec. 17. Whenever a sufficient number of persons, by the provisions of this Act, residents of any county of this State, subject to military duty, shall subscribe to a call for the organization of a volunteer company, the County Judges of said county, upon due application of the persons who have subscribed, or shall appoint some suitable person, resident of the county, to open a book, in which he shall enter the names of the persons volunteering, and shall fix a time and place of meeting for the purpose of organization, by giving ten days notice thereof, by publication in some newspaper, or by posting notices in at least three public places in the county.

Sec. 18. The person so appointed shall provide at such meeting, and organize the same; he shall superintend the election of the officers of said company, which election shall be by ballot; he shall make out, after said election shall have been determined, a list of persons so volunteering, a certificate of each officer elected, and transmit them to the Brigadier-General commanding the brigade in which such company shall be organized; who shall, if found correct, transmit the same, with his approval, to the Adjutant-General of the State, together with a copy of the

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proceedings of said meeting, and a copy of his appointments, and of the rolls of said meeting, duly certified by him. And if it shall be found that such company has been organized, and such officers elected, in conformity with the provisions of this Act, such company shall be listed in the office of the Adjutant-General as a company of the organized militia of this State, and the officers so elected shall be commissioned by the Commander-in-Chief.

Sec. 19. The volunteer or independent companies shall be true, armed and equipped in the same manner as similar corps in the United States Army, and shall consist of the following officers, non-commissioned officers, and privates, viz: in each company of cavalry, one Captain, one First Lieutenant, one Major Second, one Junior Second, Lieutenant, five Sergeants, four Corporals, one Trumpeter, one Farrier, and not less than forty nor more than eighty Privates. To other companies there shall be one Captain, one First Lieutenant, one Senior and one Junior Second Lieutenant, five Sergeants, four Corporals, one Drummer, one Fifer, and not less than forty nor more than eighty Privates; excepting light batteries, which shall be allowed one hundred active members each, and such officers as are allowed in the United States service.

Sec. 20. Volunteer companies and battalions may adopt a by-law, constitution and form by-laws, rules, and regulations, not inconsistent with the Constitution of the United States, or of this State, for the government of their members, and for their improvement in military address. It shall be the duty of the Acting Ordinary Sergeants of the company and Sergeant-Major of the battalion to keep a perfect and complete record of the constitution, by-laws, rules, and regulations, of his company or battalion, which shall be signed by the Captain, or Commander, and countersigned by the Ordinary Sergeant, or Sergeant-Major; and said record shall at all times be subject to the inspection of any member of the company, or battalion, and all military officers, or persons interested therein; and if any member of such volunteer company, or battalion, shall fail to comply with the provisions of such constitution, by-laws, rules, and regulations, he may be expelled from such company, or battalion, and his name erased from its roll.

Sec. 21. When any volunteer company shall be organized according to law the commanding officer thereof may apply to the Commander-in-Chief, through the proper military authority, for such arms and accoutrements, or stores, as may be required, such application being first submitted to the County Judge, and receiving his approval, which shall be returned therewith. If the Commander-in-Chief shall approve such application, or any part thereof, he shall give an order, upon the book thereof, directing the issue by the Adjutant-General, who shall immediately notify the officer making such application, and the County Judge who approved it, that the arms and accoutrements, or stores, mentioned in such application, or any portion thereof, are ready for issue; and thereupon it shall be the duty of such officer to give such books and accoutrements as may be deemed requisite by the County Judge, to receive the county

from him on account of use or misapplication of such arms, or equipments, or other stores. And on the collection from such County Judge, that such books have been given, to his satisfaction, and on receiving triplicate receipts from such officers, the Adjutant-General shall make the same. If he shall file any copy of such receipts in his office, and transmit the other two, one to the Controller of State, and the other to the County Clerk of the county to which such volunteer company belongs.

Sec. 22. It shall be the duty of the Board of Supervisors of each county in which there shall be one or more companies of volunteer companies, upon application of the Captain or commanding officer of the same, to provide for such company in said county, an armory, arms and suitable for the drill of squads in the School of the Soldier, and an Armorer, to take charge of the same, and said Board shall also, at each of its sessions, each and alike, and cause to be paid, the necessary incidental expenses of said company previously incurred; provided, that the total amount for all the purposes above mentioned shall not exceed fifty dollars in money, per month, for each company.

Sec. 23. The Commander-in-Chief shall have authority to demand and receive back from any county, or from any portion of the military force of this State, any arms, equipments, military stores, or other property, belonging to the State, which may be in possession of any such volunteer, or military firm. And when such arms, equipments, military stores, or other property, shall again come into the possession of the Adjutant-General, or other officer designated by the Governor to receive them from such counties, or military forces, to which they have been loaned, as above provided, it shall be the duty of the Adjutant-General, or officer so appointed, to receipt for the same, which receipt shall be in triplicate, one copy to be filed in the office of the County Clerk, one in the office of the Adjutant-General, and the third in the office of the Controller of State.

Sec. 24. All arms, equipments, and military stores, loaned as herein before provided, shall at all times be subject to examination by the Inspector and Ordnance officers of the State, and of any other officer designated by the Commander-in-Chief for that purpose; and if such officer shall find any of such public property out of repair, injured, or defective, he shall immediately notify the facts to the Board of Supervisors of the county, and report the same, through the proper channels, to the Commander-in-Chief, who, if the damage shall not be repaired, and the defects or losses supplied, within a reasonable time, shall order the same to be done under the direction of some officer, and the vouchers for the expense thereof shall be duly examined and audited by the State Board of Military Auditors, and paid, on the draft of the Controller of State, out of the General Fund.

Sec. 25. It shall be the duty of the Controller of State to change the value of all arms, equipments, and military stores, loaned as above provided, to the counties in which such public property shall be loaned, and all expenses of repairs of damage and defects, as provided in the foregoing section, and double the

value of any arms, equipments, and military property, which shall be loaned, or such military companies, shall have failed to return to the State on the demand of the Governor. At the close of each fiscal year he shall settle the account of such county, and references to such loans and military charges, and the amount so found due shall, on the requisition of the Controller of State, be assessed, at the time of the next annual assessment, as part of the county taxes, and be collected in such county in the same manner as the ordinary taxes, and shall be paid into the State Treasury, as a part of the General Fund of the State.

Sec. 26. The transportation of all arms, equipments, and military stores, loaned to troops, or received by the State, under the provisions of this Act, shall be contracted for, under the direction of the Commander-in-Chief, by the Adjutant-General, and the vouchers for such transportation, when audited by the State Board of Military Auditors, shall be paid from the General Fund, on the warrant of the Controller.

Sec. 27. No public arms, equipments, or military stores, of any kind, shall hereafter be loaned by any person not a member of the organized volunteer militia of the State, without the written consent of the Governor, except in time of war, insurrection, or rebellion, or in imminent danger, so imminent that the Commander-in-Chief shall consider that the public safety requires him to make such loan, in which case an accurate account shall be taken, of such loan, and to whom they are made.

Sec. 28. Within thirty days from the passage of this Act, each and every officer of volunteer companies now organized, having in his possession any arms, equipments, or military stores, belonging to the State, shall give to the county in which he resides, good and sufficient bonds, to be approved by the County Judge, to ensure the county from loss, on account of the use or misapplication of the same; and the officer so given bonds to the county, shall, together with his sureties, be released from his and their liabilities for the same property, on any bond heretofore given by him and them to the State, and all same shall be charged to the said county; and after the expiration of the said thirty days, no person shall retain, or have in his possession at any time, any arms, equipments, or military stores, of any kind, belonging to the State, unless they have the property loaned to such person in pursuance of law, and which shall be permitted, by proper authority, to retain the same on the discharge of a public duty; and no person shall use any public arms, equipments, or military stores, belonging to the State, for his private use, under penalty, in either of the above cases, of not less than five nor over fifty dollars, for each offense, to be recovered, in case of a member of the organized militia, or the armed militia in active service, by sentence of a Court-martial, or in case of any other person, by suit, in the Superior Court, or in case of any other person, by suit, in the County of The People of the State, by the District Attorney of the county, before any Court of competent jurisdiction, and the money so recovered shall be paid into the Treasury, as a part of the General Fund of the State. The Commanding General of the State shall have authority to take possession of such arms

there, both reported and refused to.

also, both groups reported to here.

and equipments as used, without process of law, and he shall account to the Adjutant-General for the same.

ORGANIZATION OF BATTALIONS AND REGIMENTS.

Sec. 25. Any number of organized volunteer companies, not less than three, any more than eight, may form themselves into a volunteer battalion, by giving notice of such intention through their commanding officer to the General of their brigade, who will appoint some suitable officer to hold an election at the officers of such battalion; and the officer so appointed shall fix a time and place for such election by giving ten days notice thereof, by publication in some newspaper, or by posting notices in at least three public places in the county. Such election shall be by ballot, by the commissioned officers of the volunteer companies calling for the organization of the battalion. The officer so appointed to hold the election shall provide ever and separately each election, and as soon as it shall have been determined, he shall make out certificates of election of the officers so elected, and a verified account of the proceedings of said meeting, with a certified copy of the notes of said meeting, all of which he shall transmit to the Brigadier-General of the brigade, who shall transmit them, with a certified copy of the appointment of each officer to hold the election, to the Adjutant-General of the State, through the ordinary channels of military correspondence.

Sec. 26. A battalion of eight companies shall be deemed a regiment, and shall elect one Colonel, one Lieutenant-Colonel, and one Major; a battalion of more than four, and less than eight companies shall elect one Lieutenant-Colonel, who shall be the commanding officer, and one Major; and a battalion of three, or four, companies, shall elect one Major, who shall be the commanding officer. Each regiment shall be allowed, in addition, a detachment of Engineers, consisting of ten, including a Junior Second Lieutenant and one Sergeant.

MASTER ROLLS.

Sec. 27. It shall be the duty of each and every commanding officer of any volunteer company in this State, on or before the last Monday of March and September of each year, to make out his company, and to make out, in triplicate, master rolls, setting forth the names and number of the members of his company, the officers, in the order of their rank, and the privates, in alphabetical order, and stating at the foot of each master roll a list of all arms, accoutrements, ordnance and ordnance stores, and other property belonging to the State, in his possession; one of which master rolls, duly certified, he shall transmit, through his commanding officer, to the Adjutant-General of the State; he shall file one in the office of the County Clerk of his county, and he shall keep the other as a voucher for himself. If such company shall form a part of any organized battalion or regiment, the commanding officer thereof shall transmit the same, with a master roll of the field and staff officers of his regiment, or battalions, to the Adjutant-General of the State, through the proper channels of military correspondence.

both direct combatants as to supervision rank

both people have own master rolls

have master rolls to be kept

the State guard books

THE MASTER ROLL.

Sec. 22. All commissioned officers of the organized volunteer regiments, battalions, and companies, shall take such inventory to the date assigned them by their commissions; and when any of the same shall be of the same date, their rank shall be determined by length of service in the militia; and if of equal service, then by lot. Officers of organized volunteer regiments, battalions, and companies, shall, in all cases, by consent of some five or six officers of the enrolled militia of the same grade, procure a copy of the same, and transmit it to the Adjutant-General.

Sec. 23. It shall be the duty of each and every Brigadier-General, to make, from the master rolls received by him from the Clerks of the Boards of Supervisors, and from the master rolls received by him from the officers of companies, battalions, and regiments, as prescribed in this Act, on or before the first Monday in October of each year, two brigade master rolls, one to be entitled "Master roll of the organized militia of the _____ brigade," and the other to be entitled "Master roll of the _____ militia of the _____ brigade." In the first of which he shall include the names of all the officers of his rank, and all the officers, non-commissioned officers, musicians, artificers, and privates, of the organized volunteer regiments, battalions, and companies, in his brigade, in the order of their organization; and in the second, he shall include, in alphabetical order, the names of all other persons subject to military duty. The original of these master rolls, signed by the General of Brigades, shall be filed in his office, and duly certified copies thereof shall be furnished by him to the General of Division, and to the Adjutant-General of the State.

Sec. 24. And it shall be the duty of the Major-General of Division, on or before the fourth Monday of October of each year, to make, from the rolls received by him from the Brigadier-Generals of his division, two master rolls, one to be entitled "Master roll of the organized militia of the division," and the other to be entitled "Master roll of the enrolled militia of the division;" the first to be made up of the names of the officers of the division, and the master rolls of the organized militia of the brigade of the division, according to their organization; and the other to be made up of the master rolls of the enrolled militia of those brigades, as provided in the foregoing section. The originals of these master rolls, signed by the Major-General, shall be filed in his office, and duly certified copies thereof shall be transmitted to the Adjutant-General of the State.

CLASSIFICATION OF THE MILITIA.

Sec. 25. All commissioned officers of the staff of the Com-mander-in-Chief, the Adjutant-General, and the officers of his staff, the Major-General and Brigadier-Generals, and all officers of their respective staffs, and all commissioned officers, non-commissioned officers, musicians, artificers, and privates, of volunteer regiments, battalions, and companies, whose names are borne upon the master rolls of their respective regiments, battalions, and companies, shall be deemed to be members of the militia of California, and shall at all times be subject to be called into active service by the Commander-in-Chief; and when so

ation of the call of such election, made by the officer calling it at the place of rendezvous, being deemed a sufficient return; but the Commander-in-Chief shall have authority, if he shall deem it expedient, to direct that a portion of the volunteers en presenting themselves shall be assigned to organized volunteer companies or battalions, already in active service, whose numbers are less than the full complement prescribed in this Act, after which, those volunteering shall separate and elect at levels described; provided, nothing herein contained shall be construed to give any officer authority to call out troops for service against Indians in this State, until the senior officer of the United States Government is notified at the headquarters of the United States troops in this State, shall be officially notified by the Governor, Major-General, or some Brigadier-General, of the necessity for the service of troops against Indians, and shall have released or declined to order out the United States troops for said service.

Sec. 27. If the number of volunteers en presenting themselves at the place of rendezvous shall not be sufficient to equip the call of the Commander-in-Chief, the Brigadier-General need to draft from the enrolled militia of his brigade a sufficient number of men to equip and out, and this draft shall be made by putting the names of all the enrolled militia of the company or companies, from which the order directs the draft to be raised, in a box, and drawing therefrom a sufficient number of names to satisfy the call. This process whose names are so drawn will be structured by some officer, or officers, appointed for that purpose by the Brigadier-General, in the manner prescribed by law for the assembling of witnesses in civil cases, the time and place of rendezvous, as ordered by the Brigadier-General, being stated in the summons. It shall be the duty of the Brigadier-General to be present, and to superintend the drafting of the enrolled militia, and to call by the Commander-in-Chief, but his presence shall not be necessary to give validity to the proceedings. In case of the absence or inability of the Brigadier-General, the officer next in rank of the brigade, or, in default of any officer of that brigade for duty, the Major-General, or, in his absence, the Commander-in-Chief, shall designate some other in perfect the duties prescribed to such Brigadier-General with respect to making such drafts, and as soon as a sufficient number of such drafted men shall have appeared at the rendezvous to form a company, or companies, they shall proceed to the election of their company officers, in the manner prescribed in section thirty-six of this Act.

Sec. 28. Any company, or companies, of the enrolled militia so drafted and organized, may, by direction of the Commander-in-Chief, be enrolled and mustered into any battalion of the organized militia having an equal complement; and any drafted man of the enrolled militia, not organized into company, may, at the direction of the Commander-in-Chief, be enrolled and mustered into any existing company of organized or drafted militia not having the full number authorized by law, and which has already been called into active service. If the drafted militia, when drafted into service, shall fail to elect to

The police may receive the state guard by drafting men from ranks of the enrolled militia

Enrolled militia can be some some companies subsequent members of other state guard.

HOW CALLED INTO ACTIVE SERVICE.

called into active service, each person shall be called and mustered according to his commission, enrollment, and organization. All other militia in this State shall be designated the Enrolled Militia of California.

Sec. 25. In case of war, insurrection, or rebellion, or of emergency to the execution of the laws of this State, or upon the call or requisition of the President of the United States, or upon the call of any officer of the United States Army, commanding a division, department, or district, in California, or upon the call of any United States Marshal in California, or of any Mayor of a city, or President of the Board of Supervisors of the Cities and Counties of Sacramento and San Francisco, or of any Sheriff, the Commander-in-Chief is authorized to call into active service any militia of the enrolled militia of this State. In case of the absence of the Commander-in-Chief from the Capital, or if it be impossible to immediately communicate with him, the civil or military officer making the requisition for troops may, if he deem the danger imminent and not abate, send a copy of such requisition, together with a statement of the Governor's absence, or the impossibility of immediately communicating with him, upon the Major-General, or, in his absence, upon the General of the brigade, who is hereby authorized to execute, with respect to calling out the troops of his division or brigade, the powers conferred in this section upon the Governor; but if the call shall be discovered by the Governor, the troops so called into service will be immediately disbanded. Such call for any portion of the organized militia shall be made by an order issued and directed to the commanding officer of the company, battalion, regiment, brigade, or division, which is so called into service, designating to each order the particular troops called, the time and place of rendezvous, and the officer to whom they shall report. If such order be directed to the Major-General of a Division, it will be immediately communicated to the Brigadier-Generals, and by them to all the officers of their respective brigades; and any officer receiving such copy will presenters and report for duty, as herein directed; and any officer commanding an organized volunteer company, or battalion, on receiving such order, will immediately proceed to notify the same to each individual of his command, by personal notice, or by publication in some newspaper, or by the usual posting in public places of the county or counties from which the call is made, and such officer shall attend in person, or by depositing an officer of the organized militia in his place, at the place of rendezvous, and take the names of all volunteers for service under such call; and if the number of such volunteers shall be sufficient to form one or more companies or battalions, according to the provisions of this Act, he shall immediately call and superintend the election of the officers of such companies, or battalions, which election shall be conducted in the manner prescribed in this Act for the election of officers of volunteer companies and battalions, except as to the publication of notice of such election; a pro-

the militia of the state other than the state guard.

The militia of the state militia two square

any officer designated in such roll for an election, in the manner and at the time appointed, as provided in this Act, such vacancy or vacancies shall be filled by appointments made by the Commander-in-Chief; and any company or companies, or drafted militia, not assigned to, and mustered in, any incomplete battalions of the organized volunteer militia, shall be organized into battalions, or regiments, the field officers of which shall be appointed by the Commander-in-Chief, such appointments being made in all cases where, in the opinion of the Commander-in-Chief, suitable persons can be obtained from the officers of the organized volunteer militia of this State.

Sec. 52. Where troops are called into active service from different brigades, and the number so called into active service shall not be more than sufficient to constitute one complete brigade, the Commander-in-Chief shall so organize them, and shall designate the particular Brigadier-General for the command of the brigade so organized.

OF OFFICERS IN ACTIVE SERVICE.

Sec. 53. The commission of any officer called into active service shall continue until he shall be discharged by the order of the Commander-in-Chief; provided, that such commission shall not be renewed by resignation, dismissal, or revocation, as provided in this Act. All vacancies of officers and non-commissioned officers, in active service, shall be filled by appointment or promotion; the list by the Commander-in-Chief, and the record by the commanding officer of the battalion, or of the company, in case such company forms a part of any battalions. In filling such vacancies of commissioned officers, the Commander-in-Chief shall, as a general rule, promote by seniority, or appoint, on the recommendation of their superior officers, those in active service, and in any case of departure from this rule, the Commander-in-Chief shall report his reasons for such departure, to the Senate. The commanding officer of troops in active service may continue to any vacancy, for personal leave, or service in camp, or battle, and if the Governor shall commission some other person than the one so nominated, he shall report his reasons to the Senate; and if the Senate, in either of the foregoing cases, shall disapprove of the reasons given, the commission so given shall be regarded as vacated, and the officer shall immediately proceed, with the advice and consent of the Senate, to fill such vacancy.

PROHIBIT ON SERVICE TO SECESSIONISTS.

Sec. 54. Any officer, non-commissioned officer, musician, private, or private of the organized militia of this State, who shall neglect, or refuse, to re-enlist and organize, when ordered out by the Commander-in-Chief, shall be deemed guilty of disobedience of orders, and shall be tried and punished by a Court-martial; and any person of the enrolled militia who shall refuse, or neglect, to re-enlist and organize, when drafted as provided in this Act, shall be subject to a fine of not less than fifty nor more than five hundred dollars, to be

Added to militia

received by an action to be brought by the District Attorney, in the name of The People of the State, upon the certificate of the officer appointed to make the draft, before any Court of competent jurisdiction in the county from which such persons are drafted, and the fine so recovered shall be paid into the Treasury, as belonging to the General Fund of the State.

RECRUITING AND ALLIES.

Sec. 55. Any private of the organized militia, and any person of the enrolled militia, called, or drafted, into service, under the provisions of this Act, may furnish, as a substitute, any person fit for military duty, who has not been called, or drafted, into service. He also drafted into service shall be obliged to serve and bear arms against any foreign enemy to whom he owes allegiance.

Sec. 56. The Commander-in-Chief shall order a public parade of all the organized militia of the State on at least two days of each year; such parades to be held within the limits of the brigade to which such troops respectively belong; and each public parade shall be reviewed by the Commander-in-Chief, or, in his absence, by the Major-General, or by the officer of the brigade of the highest rank present. Immediately after such troops have been reviewed, they shall be inspected by the Inspector-General, or, in his absence, by the Division or Brigade Inspector, and such inspecting officer, after a minute inspection of dress and military bearing of the field officers and commissioned staff, and the officers of companies and arms, accoutrements and arms of each soldier, will report the result of such inspection to the commanding officer; provided, that in the City and County of San Francisco the organized militia shall parade at least six times during the year; two parades on battle dress provided, that by regiments or battalions, and two parades by company, one of which company parades shall be for target practice, the result of which target practice shall be reported to the commanding officer of the brigade; and, provided, further, that upon occasions of receptions, or upon the celebration of any event of public importance, the commanding officer of the brigade shall have authority to order out the organized militia, to join such parades, and the parade so ordered is hereby constituted a legal parade; and, provided, further, that each and every company of the organized militia of the City and County of San Francisco shall assemble at least once in each week for military instruction, in other parts of the State, such companies shall assemble at least once a month for such instruction, and all members who absent themselves from such meetings for instruction, during four consecutive meetings, unless properly excused by the commanding officer of such company, or through absence from the county, or bodily disability, shall be deemed from the enjoyment of jury duty and poll and road tax, and subject to expulsion from their company.

Sec. 57. All members of the organized militia of this State, commissioned or uncommissioned as such under the provisions of this Act, shall be exempt from jury duty, and from the payment of the poll tax of every description, and from serving on any posse

Refer to both militia

constables, except when called to do so in their military capacity by the Commander-in-Chief. Whenever a member of the organized militia of this State shall be summoned as a juror, or called upon for any poll tax, in order to entitle him to the exemption provided in this section, he shall be required to produce, to the County Clerk, Sheriff, or Constable, and to the Collector of any poll tax, a certificate of the commanding officer of his company, constabulary by the First Sergeant, that he is a member in good standing fit for active service, and not in arrears for absence, and that he has attended all the regular drill meetings of his company unless absented on account of sickness, or absence from the place of company rendezvous, for good cause, for three months next preceding the issuance of said certificate, and such certificate shall bear date within thirty days of its presentation.

ARMS OF DISCIPLINE.

Sec. 45. The rules of discipline and regulations of the Army of the United States shall, so far as the same may be applicable, govern the rules of discipline and regulations of the organized militia of this State; and the rules and articles of war established by Congress for the Army of the United States shall be adopted, so far as they may be applicable, for the government of the militia of California in active service.

The rules of discipline.

COURTS-MARTIAL.

Sec. 46. The Commander-in-Chief will appoint Courts-martial for the trial of general officers, and all officers of the staff of the Commander-in-Chief; the Major-General will appoint Courts-martial for the trial of all staff officers of the divisions and brigades, and for the field and staff officers of battalions and regiments; and Brigadier-Generals will appoint Courts-martial for the trial of all Captains and commissioned officers under their rank in their respective brigades; the commanding officers of regiments and battalions will appoint Courts-martial for the trial of all non-commissioned officers, musicians, artificers, and privates, of their respective regiments and battalions. The commanding officer of a single company not forming a part of any battalion or regiment, shall have power to appoint Courts-martial, the same as the commanding officer of a regiment or battalion. The officer appointing a Courts-martial will revise the proceedings, and approve, or disapprove, the sentences of such Courts-martial, and will direct the execution of such sentences, or mitigate the punishment, or pardon the person or persons convicted; but the person or persons so sentenced may apply to the Commander-in-Chief to revise the proceedings, and to disapprove them, or pardon the offense; in which case, the officer appointing the sentence will transmit the proceedings in such case to the Commander-in-Chief, and the execution of the sentence shall be suspended until the proceedings shall be returned with the decision thereon. Courts-martial appointed under the provisions of this Act, shall be organized in the manner, and be subject to the rules and regulations governing Courts-martial in the United States Army; they shall

have power.

have the same power to compel the attendance of witnesses, when duly summoned by the Judge-Advocate, to preserve order in and about the Court-room during their session, and to punish contumacy, as the Judges of the District Courts have, under the laws of this State.

GENERALS AND ADJUTANTS FROM THE STATE.

Sec. 47. Any commissioned officer of a brigade, or division, or division, who shall remove his residence from the limits of his brigade, or division, will be deemed to have resigned his commission; and the Major-General, or any Brigadier-General, who shall absent himself from the State for more than three months, without the permission of the Commander-in-Chief, shall be deemed to have resigned his office.

PAY AND ALLOWANCES OF MILITIA IN ACTIVE SERVICE.

Sec. 48. Whenever any of the militia of this State shall be by a called into active service for the space of more than one week, they shall receive the same pay and allowances as United States troops serving in California. Any general or field officer being called into active service, shall call shall be deemed to include all the officers of their respective staff. In case a division, or part of a division, is called into active service, the Commander-in-Chief shall be authorized to put upon active service the son of his Aide-de-Camp.

RETURN OF ARMS, &c.

Sec. 49. When the Commander-in-Chief shall order the return to the State of any arms, equipments, military stores, or other military property, belonging to the State, such arms and military property shall be immediately delivered to the officers authorized in such order to receive it, he receiving for the same, and describing their condition in such receipts; and if the property mentioned in such order shall not be promptly delivered, as directed, the officer named in such order is hereby authorized to take immediate possession of the same, in the name of The People of the State; and any person violating with respect to the performance of this duty, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not more than six months in the county jail, and shall be subject to a fine not exceeding five hundred dollars, to be recovered by an action brought by the District Attorney, in the name of The People of the State, and be paid into the Treasury as a part of the General Fund.

Sec. 50. The Commander-in-Chief, Adjutant-General, and the Controller of the State, shall constitute a State Board of Military Auditors. The Commander-in-Chief shall be President, and the Adjutant-General shall be Secretary, of said Board.

Sec. 51. The Board of Military Auditors shall have a seal, and an impression of which shall be deposited by the Secretary of

the Board in the office of the State Treasurer, and be attached to all accounts audited by said Board.

Sec. 52. It shall be the duty of said Board of Military Affairs to audit all reasonable expenses incurred by volunteer companies in the service of this State, and officers attached to the same, and all other claims required under the provisions of this Act. It shall be the duty of the Comptroller of State to draw his warrants for the amount thus audited, and the Treasurer of State is hereby required to pay the same out of any moneys in the General Fund not otherwise appropriated.

Sec. 53. The Adjutant-General shall, under the direction of the Governor, prepare and keep in his charge all blank military commissions, and such other blanks as may be required for the service.

SERVICES AND TROOPS ALREADY COMMISSIONED AND ORGANIZED.

Sec. 54. All volunteer companies, battalions, and regiments organized prior to the passage of this Act, shall be deemed to have been organized in compliance with its provisions, and be entitled to its benefits; but such companies, battalions, and regiments, shall be required to comply with all the remaining provisions of this Act.

Sec. 55. The organized and entitled militia of this State shall be organized into six regiments and six brigades. The brigades shall be as follows: First Brigade—San Diego, Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, and Monterey Counties; Second Brigade—Santa Cruz, Santa Clara, San Mateo, San Francisco, Alameda, Contra Costa, Marin, Sonoma, Solano, Siskiyou, and Lake Counties; Third Brigade—San Joaquin, Merced, Tuolumne, Fresno, Stanislaus, Colusa, Yuba, and Sutter Counties; Fourth Brigade—Sacramento, Butte, Yuba, and Placer Counties; Fifth Brigade—Butte, Plumas, Colusa, Yuba, and Sutter Counties; Sixth Brigade—Mariposa, Humboldt, Trinity, Tehama, and Kern Counties.

Sec. 56. Any and all new counties, which may hereafter be organized in this State, shall be attached to the respective brigades in which the larger portion of said new county is now located.

Sec. 57. Whenever any portion of the organized or entitled militia shall have been called into active service, to suppress an insurrection or rebellion, to disperse a mob, or to enforce the execution of the laws of this State, or of the United States, it shall be competent for the Commander-in-Chief, or the Governor acting in his place, as provided in section thirty-nine, to place such troops under the temporary direction of the Mayor of any city, or the President of the Board of Supervisors of the County, and the Comptroller of Sacramento and San Francisco, or person acting in that capacity, of the Sheriff of any county, or of any militia of the United States. And if, in the opinion of such civil officer, it shall become necessary that the troops so called shall be or charge upon any mob or body of persons, unbound to break or resist the laws, such civil officer shall give a written order to that effect, to the superior officer present in

the command, who will at once proceed to carry out the order, and shall direct the firing and attack to cease only when such mob or unlawful assembly shall have been dispersed, or when ordered to do so by the proper civil authority. No officer, who has been called out to maintain the civil authorities, shall, under any pretense, or in compliance with any order, fire blank cartridges upon any mob or unlawful assemblies, under penalty of being cashiered by sentence of a Court-martial; provided, that nothing in this section shall be construed as prohibiting any mob troops from firing or charging upon such mob or assembly, without the orders of such civil officers, in case they shall first be attacked or fired upon, or forcibly resisted in discharge of their duty. When the Commander-in-Chief, or General acting in his place, shall call troops into active service, for the purposes mentioned in this section, and shall set places there under the temporary direction of any civil officer, the commanding officer shall use his own discretion with respect to the propriety of attacking or firing upon any mob or unlawful assembly.

Sec. 58. All fines, legally imposed by a Court-martial lawfully constituted, after the proceedings and findings of said Court in the premises have been approved, as prescribed by this Act, shall be and the same are hereby made collectable by law. And any person failing to pay the same, shall be proceeded against by the District Attorney, in the name of The People of the State, as for ordinary debts, in any Court of competent jurisdiction of the county. And a copy of the finding and approval as relative to imposition and approval of such fine, certified by the officer authorized by law to approve the same, shall be returned as evidence in the case. And if judgment be obtained, it shall be collected as in ordinary cases, and shall be paid into the County Treasury, as belonging to the General Fund of the State, and to be accounted for as such.

Sec. 59. The Commander-in-Chief may, from time to time, suspend and publish rules, regulations, and orders, for the government of the militia of this State, in accordance with the provisions and spirit of this Act.

Sec. 60. Any volunteer company may, on its organization, adopt or thereafter, adopt a distinctive name, but shall be known by a particular letter, or number, in the battalion or regiment to which it belongs.

Sec. 61. No person shall be a member of two companies at the same time, and any member of a company who removes therefrom beyond the limits of the county, shall be considered as having been discharged from such company.

Sec. 62. In the case of military taxes and fines assessed and not charged against a minor, the parent or guardian shall be held to pay. In case of minors who are orphans, the Commander-in-Chief shall have power to remit any military taxes or fines.

Sec. 63. In the absence of any appropriate representative, the same next in rank in the command of troops, where not otherwise provided in this Act, shall succeed to his authority.

Sec. 64. Every soldier, in his appropriate command, shall exercise his authority to control the actions of his junior, in accordance with the principles of military subordination, under the laws and usages that govern the United States Army.

Sec. 76. When bands of music shall not have been organized for any regiment, battalion, or isolated company, in the manner provided in the regulations of the Army of the United States, it shall be lawful for such regiments, battalions, or isolated company, through its commanding officer, to hire the services of any band of musicians, at their own expense, and the persons so employed shall, during the term of their engagement, be subject to the same laws and regulations that govern the military body with which they may serve.

Sec. 77. When any person, drafted for service, shall offer, at or after the time of rendezvous, a suitable substitute, of his age or twenty-one years, and such substitute shall remain, in writing, to subject himself to all the duties, laws, forfeitures, and punishments, to which his principal would have been subject had he personally served, he shall be accepted by the officer making such draft. And the same rule shall apply to substitutes offered by members of organized volunteer companies called into active service, the commanding officer of such company being the judge of the suitability of the substitute offered. And the person whose substitute shall be so accepted, shall be exempted from draft during the term of service of his substitute.

Sec. 78. No action shall be maintained against any member of a Court-martial, or officer, or agent, acting under his authority, on account of the imposition of a fine, or the execution of a sentence, on a person not liable to military duty, if such person shall have been duly summoned, and shall have neglected to appear and show his exemption before the Court.

Sec. 79. Courts of Inquiry may be ordered by the Commander-in-Chief, Major-General, or any Brigadier-General. Such Courts of Inquiry shall be governed by the same rules as similar Courts in the United States Army, and they shall have the same power to preserve order, punish contempts, and compel the attendance of witnesses, as Courts-martial have.

Sec. 80. For all services under this Act, Sheriffs, Constables, and Justices, shall receive the fees as for similar services in other cases, and shall be subject to the same penalties for any neglect of duty.

Sec. 81. The Adjutant-General shall have a seal of office, to be approved by the Commander-in-Chief, and all copies of orders, or papers, in his office, duly certified and authenticated under the said seal, shall be grievous in all cases in like manner as if the originals were produced.

Sec. 82. On the days of military parades appointed by the Commander-in-Chief, the militia so called out and doing military duty, shall be considered to be under military discipline from the rising to the setting of the sun; and no officer, non-commissioned officer, musician, artificer, or private, belonging to the same, during the time aforesaid, shall be subject to be arrested on any civil process.

Sec. 83. The commanding officer of any parade, review, or drill, and the officer in charge of any rendezvous, may cause the ground selected for that purpose to be marked, or designated, in such a manner as not to obstruct the passage of travellers on any public highway; and if any person, during the occupation

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of such ground for such military purposes, shall encroach upon such bounds, or enter upon such ground, without the permission of such officer commanding, or in charge, he may be put and kept under guard, by the order of such Commander, until the setting of the sun of the same day, and, moreover, shall be subject to arrest and punishment, by any Court of competent jurisdiction, for a breach of the peace.

Sec. 84. If any person shall interrupt, molest, or insult, by abusive words, or behavior, any officer, non-commissioned officer, or soldier, while in the performance of his military duty, he shall be immediately put under guard, and kept, at the discretion of the commanding officer of the forces engaged in the performance of such military duty, until the setting of the sun of the same day on which the offense shall have been committed; and, moreover, shall be subject to arrest and punishment, by any Court of competent jurisdiction, for a breach of the peace.

Sec. 85. Any officer, non-commissioned officer, or soldier, on military duty, who shall disobey the legal orders of his superior, use any reproachful or abusive language to his superior, or behave, or demean himself in an insolent, or unbecomingly manner, shall be immediately arrested, if an officer; and if a non-commissioned officer, or soldier, shall be dismissed and put under guard, and shall be tried and punished by a Court-martial, according to law and military usage.

Sec. 86. In case of parades, reviews, inspections, or exercises, of the troops of any brigades, any companies, not organized into battalions, shall be temporarily organized into a battalion, for the duties of the day, and the battalion so temporarily organized shall be commanded by the officer senior in rank of the companies composing it. It shall be optional with any such unattached companies to attach themselves for the day to any organized battalion, or battalions, or to organize a temporary battalion; but no such temporary battalion shall be organized of less than three companies, if there be any organized battalions, or battalions, present on duty, to which they may attach themselves without exceeding the complements fixed by this Act. If such unattached companies shall not attach or organize, themselves, in accordance with the provisions of this section, the officer commanding the brigades for the day shall order such assignments or organization.

Sec. 87. Swords, arms, equipments, and uniforms, of all officers, non-commissioned officers, and privates, used for military purposes by the organized or organized militia of the State, shall be exempt from taxation.

Sec. 88. This Act, approved May sixth, eighteen hundred and sixty-one, entitled an Act in relation to the Militia of the State, and all other Acts, or parts of Acts, in conflict with the provisions of this Act, are hereby repealed.

Sec. 89. This Act shall take effect and be in force from and after its passage.

both militia groups referred to here.