



**MTM 2005-1**

# **CITIZENSHIP**

**DECEMBER 2005**

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**HEADQUARTERS  
INDIANA MILITIA CORPS**

# **CITIZENSHIP**

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## PREFACE

By MG William A. Flatt

As militiamen, we bear an extra responsibility as citizens, and that responsibility is to provide examples of good citizenship to everyone around us. All peaceable Citizens who are not in the active military services of our nation are the Militia; and it is the responsibility of the militia to encourage a full understanding and best practice of our Rights and Responsibilities.

It goes without saying that the majority of Americans have abandoned their duties as citizens, and the nation is suffering for it. Part of this has been the systematic obscuring of fundamental truths by those who would change our fundamental form of government into something very alien to our forefathers. The purpose of this manual will be to reintroduce some of the basic precepts of citizenship that all patriots hold dear.

This manual shall reconstruct the fundamentals of citizenship as it was presented in a 1928 manual. By identifying what we are citizens of; that is, what form of government our nation was founded as, we can outline the responsibilities and Rights that are afforded under our unique system, and contrast it to other forms of government.

The reason why this manual was originally created for our military was to educate our troops about the principles for which we fight. Only one who understands and believes what they are fighting for has an advantage over the mercenary combatant, whose only motivations for fighting are their paycheck and their loyalty to their comrades-in-arms.

Most important of all, we cannot hope to defend, protect and preserve our Republic and our Constitution without an appreciation of the value of our form of government and the principles upon which it is founded. It is for this absolute purpose which this manual has been written, and I hope that it will become your launching point for studying (natural) God-given Rights, the Constitution & Bill of Rights, the Declaration of Independence, the writings of our nation's Founders, and American History.



*"An informed citizenry is a threat to tyrants everywhere" – Thomas Jefferson*

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## Chapter 1 – DEFINITIONS OF CITIZENSHIP

### CITIZEN vs. SUBJECT

Put succinctly, the difference between a citizen and a subject is as plain as free versus slave. The popular bumper-sticker also characterizes the difference between a citizen and a subject as being whether or not one owns a firearm.

Citizens of nations throughout history, Rome being a particular example, enjoyed privileges and benefits not typically accorded to the slave or the alien. In some nations, what passed for citizenship was anything but... For example, the vassal who owed his daily existence to his feudal sovereign (King, Baron, Czar, or Sheikh); or the peoples of communist regimes, having the name of citizens only, but living as de facto slaves.

In the original, pristine state of our Republic, citizenship was assumed to belong to the people who resided in a particular state. It was not until after the destruction of the 9<sup>th</sup> and 10<sup>th</sup> amendments by the War of Northern Aggression (misconstrued as ‘the’ civil war), that the federal government made its first postbellum expansions of power. Naturally, no real expansion could ensue without addressing (attacking) the foundation of the nation, which is the very definition of citizenship. This is illustrated in *US v. Anthony*:

“It had long been contended, and had been held by many learned authorities, and had never been judicially decided to the contrary, that there was no such thing as a citizen of the United States, except as that condition arose from citizenship of some state. No mode existed, it was said, of obtaining a citizenship of the United States, except by first becoming a citizen of some state.” *United States v. Anthony*, 24 Fed.Cas. 829 (1873)

As demonstrated by the above passage, the ratification of the 14<sup>th</sup> Amendment by military occupational governments in the defeated states of the Confederacy created a Pandora’s Box for the very definition of citizenship. Legal scholars crafted distinctions concerning citizens and citizenship. Today, assignment of a social security number at birth places the newborn under the unlawfully expanded jurisdiction of the District of Columbia as a “U.S.” citizen; which is actually not citizenship but serfdom under a federal oligarchy. In upcoming chapters we will explore how citizenship is characterized by the form of government under which it exists.

The real differences between citizens and subjects are elemental: Citizens have responsibilities, subjects have obligations. Citizens have Rights, subjects do not; and the same also applies to Liberty, Property, and in some instances even Life itself.

## **Chapter 2 - REPUBLIC vs. DEMOCRACY: FORMS OF GOVERNMENT AND THEIR CONSEQUENCES**

### **INTRODUCTION**

Do you know what a Republic is? And do you know that a Democracy was not our established form of government? In fact, "Democracy" is now just a buzzword for Communism by those who promote Communism in the United States. There is a great deal of reference by the media and sadly, even by many of our elected officials to "our democracy" or "this democracy" when referring to our government. Of course, our Constitution specifies a Republic, but this nation seems to have strayed from the primrose path. This manual will seek to examine the definitions of Democracy vs. Republic, and how that relates to our duties as Citizens. In a constitutional Republic, citizenship is a responsibility that should never be taken lightly.

At the close of the Constitutional Convention in Philadelphia on September 18, 1787, Mrs. Powell anxiously awaited the results, and as Benjamin Franklin emerged from the long task now finished, asked him directly: "Well Doctor, what do we have, a republic or a monarchy?" Ben Franklin replied, "A republic if you can keep it."

The term *republic* had a significant meaning for both of them and all early Americans. It meant a lot more than just representative government and was a form of government in stark contrast to pure democracy where the majority dictated laws and rights. The American Revolution stands in contrast to the French Revolution; whereas on one hand we had a revolution to create a Republic, the French revolution resulted in a pure democracy – and the resultant mob action and atrocities.

The differences can be debated and argued in many ways but the best and simplest definition to date is printed in *The Soldiers Training Manual* issued by the United States War Department, November 30, 1928. In this manual, we will examine the definitions of Republic vs. Democracy, what our founders had to say about each, and why a citizen in a Republic must engage greater participation, responsibility and vigilance than someone a participating as part of a democracy. Conversely, in a democracy no special effort is required of the individual beyond voting, in contributing to their society.

When a majority of people does not wish to uphold their responsibilities as citizens, society degenerates. This is yet another reason why Democracies have always failed and always will.

### **THE CENSORED CITIZENSHIP PRIMER:**

Following are four (4) facsimile section reproductions taken from that 156-page book, setting forth exact and truthful definitions of a Democracy and of a Republic, explaining the difference between both. These definitions were published by the authority of the United States Government and must be accepted as authentic in any court of proper jurisdiction.

These precise and scholarly definitions of a Democracy and a Republic were carefully considered as a proper guide for American soldiers and citizens by the Chief of Staff of the United States Army. Such definitions take precedence over any "definition" that may be found in the present commercial dictionaries which have suffered periodical "modification" to please "the powers that be."

Shortly after the "bank holiday" in the thirties, hush-hush orders from the White House suddenly demanded that all copies of this book be withdrawn from the Government Printing Office and the Army posts, to be suppressed and destroyed without explanation. Given the history of the United States since then, it is no mystery why the publication was banned and destroyed, and why essential knowledge about our responsibilities of citizenship has been suppressed.

(No. 1 facsimile)

TM 2000-25  
1

TRAINING MANUAL }  
No. 2000-25 }

WAR DEPARTMENT,  
WASHINGTON, November 30, 1928.

CITIZENSHIP

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Prepared under direction of the  
Chief of Staff

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This manual supersedes Manual of Citizenship Training

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*The use of the publication "The Constitution of the States," by Harry Atwood, is by permission and courtesy of the author.*

*The source of other references is shown in the bibliography.*

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(No. 2 facsimile)

CITIZENSHIP

TM 2000-25  
118-120

**Democracy:**

- A government of the masses.
  - Authority derived through mass meeting or any other form of "direct" expression.
  - Results in mobocracy.
  - Attitude toward property is communistic-negating property rights.
  - Attitude toward law is that the will of the majority shall regulate. Whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences.
  - Results in demagoguism, license, agitation, discontent, and anarchy.
- 
-

(No. 3 facsimile)

CITIZENSHIP

TM 2000-25  
120-121

**Republic:**

- Authority is derived through the election by the people of public officials best fitted to represent them.
- Attitude toward property is respect for laws and individual rights, and a sensible economic procedure.
- Attitude toward law is the administration of justice in accord with fixed principles and established evidence, with a strict regard to consequences.
- A greater number of citizens and extent of territory may be brought within its compass.
- Avoids the dangerous extreme of either tyranny or mobocracy. Results in statesmanship, liberty, reason, justice, contentment, and progress.
- Is the "standard form" of government throughout the world.

A republic is a form of government under a constitution which provides for the election of (1) an executive and (2) a legislative body, who working together in a representative capacity, have all the power of appointment, all power of legislation all power to raise revenue and appropriate expenditures, and are required to create (3) a judiciary to pass upon the justice and legality of their governmental acts and to recognize (4) certain inherent individual rights.

Take away any one or more of those four elements and you are drifting into autocracy. Add one or more to those four elements and you are drifting into democracy. – Atwood

**121. Superior to all others.** – Autocracy declares the divine right of kings; its authority cannot be questioned; its powers are arbitrarily or unjustly administered.

Democracy is the "direct" rule of the people and has been repeatedly tried without success.

Our Constitutional fathers, familiar with the strength and weakness of both autocracy and democracy, with fixed principles definitely in mind, defined a representative republican form of government. They "made a very marked distinction between a republic and a democracy \* \* \* and said repeatedly and emphatically that they had founded a republic."

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(No. 4 facsimile)

[A G. 014.33 (4-28-8).]

BY ORDER OF THE SECRETARY OF WAR:

C. P. SUMMERALL,  
*Major General,*  
*Chief of Staff.*

OFFICIAL:

LUTZ WAHL,  
Major General,  
The Adjutant General.

---

## **OTHER DEFINITIONS**

Another definition of a Republic, as posted on the website, <http://www.teamlaw.org>:  
“A Republic has two principal elements. First, it is controlled by Law; therefore, it does not control Law. Second, it recognizes the private independent sovereign nature of each person (man or woman) of competent age and capacity, therefore a Republic must be representative in its nature.”

A Republic recognizes Law is unchangeable, or at least that it can only be changed by a higher source than government. In a Republic, the concept of “collective sovereignty” cannot exist, except with recognition that the State or nation, as a body of sovereigns, can speak through one elected voice; though that one voice can never lawfully interfere with the private rights of the individual sovereigns.

A Constitutional Republic such as ours is a representative republic created and controlled by the Law of a constitution. The Constitution of the United States of America is foundationally based on the Bible, the Magna Carta, and The Declaration of Independence. Those documents recognize man’s sovereignty, the divine nature of man’s creation and man’s divine right to Life, Liberty, Property, and the pursuit of happiness. Therefore, the government created by the Constitution is obligated to recognize these self-evident truths.

A Democracy is, in its simplest form, 51% telling the other 49% what to do. Stated another way, a democracy is a dictatorship of the majority. The Greek philosopher Socrates was executed by a democracy: though he harmed no one, the majority found him intolerable.

Notice that in a Democracy, the sovereignty is in the whole body of the public. The sovereignty is not divided to smaller units such as individual citizens. To solve a problem, only the whole body politic is authorized to act. Also, being citizens, individuals have duties and obligations to the government. The government's only obligations to the citizens are those legislatively pre-defined for it by the whole body politic.

In a Republic, though, the sovereignty resides in the people *themselves*, whether one or many. In a Republic, one may act on his own or through his representatives as he chooses to solve a problem. Further, the people have no obligation to the government; instead, the government - being hired by the people - is obliged to its owner, the people.

## **WHY OUR REPUBLIC IS UNIQUE**

Unlike a democracy, our unique Republic was created with four votes to check tyranny, not one. The first is obviously the ballot box; any similarity between our constitutional Republic and democracies ends there. We also have the vote of the Grand Jury to insure that no individual is brought to trial without probable cause, and another regular (petit) jury vote to insure that people accused of crimes are found guilty beyond a reasonable doubt. Our last method of voting, and the most extreme, was the withholding of assessed taxes. This last type of vote was intended to starve an out-of-control legislature or executive of the means to implement changes or other actions against the clear and express wishes of the people.

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Our Republic also features two distinctive safeguards against despotism, in addition to our four-vote system. The first is the separation of powers; through checks and balances, no branch of government (Congress, Judiciary, Executive) may usurp the powers of the other two, and wields sufficient powers to prevent the other two from doing likewise. The only weakness in this system is the potential for deliberate collusion between all branches to cede powers to the others and assume the powers of other branches. The only defense against this degree of corruption within and among the branches of government is for the people to be vigilant and for the body politic to embrace the highest moral standards.

*“Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”* -John Adams

However, the separation of powers is not merely between the three federal branches but also between the states and the federal government. This separation of powers between state and federal government was called **federalism** by the founders; the term was coined by Alexander Hamilton, who stated: “To look for a continuation of harmony between a number of independent unconnected sovereignties situated in the same neighborhood, would be to disregard the uniform course of human events and to set at defiance the accumulated experience of ages.”

Through the principle of Enumeration, the federal government was limited to a few specific functions that are national in scope (defense, treaty, commerce). All other powers were reserved to the States. Conversely, the few powers that were delegated to the national government were prohibited to the States; such as imposts and customs. The powers given to the federal government were so few and specific as to make it clear that the States, with the balance of powers in their possession, were the master over the federal government. Until the Republic was destroyed by the Lincoln administration (something akin to killing the patient to cure the cancer), the proper role of the federal government as servant to the States was maintained. That relationship, or ‘pecking order’, has been reversed since then.

Realizing that a Creator is always above and greater than that which He creates, the founding fathers created a system by which an informed electorate could control those acting in the name of government. Being a good master requires that one always remember the natural pecking order that was established by God for the benefit of nations:

- 1) God created mankind
- 2) Men (that’s you and me) created the Constitution
- 3) The Constitution created a government
- 4) Government chartered corporations
- 5) Corporations created ‘stake-holders’.

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As previously stated, the relationship between the servants and the masters has been turned on its head, fundamentally reversing the very concept of 'federalism'. Note the two diagrams below illustrating the contrasting relationships:

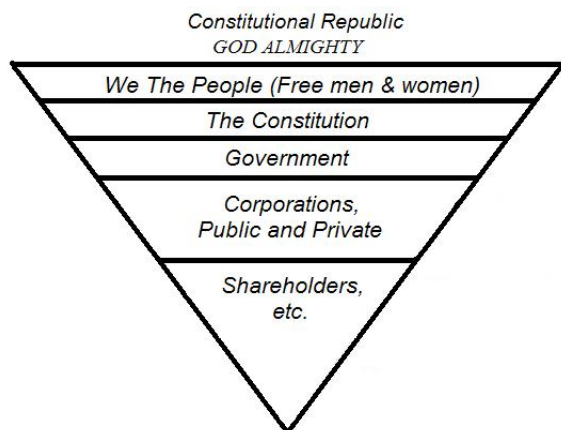


Diagram 1: Republic



Diagram 2: Reverse Order

The nature of this reversed order will be covered later in the chapter on how tyranny returned to America.

**WHY DEMOCRACIES (and Communism) FAIL:**

*“A Democracy cannot exist as a permanent form of Government. It can only exist until the voters discover they can vote themselves largess out of the public treasury. From that moment on the majority always votes for the candidate promising the most benefits from the public treasury with the result that Democracy always collapses over a loose fiscal policy, always to be followed by a Dictatorship.”*

– Professor Alexander Tytler, nearly two centuries ago while our thirteen original states were still colonies of Great Britain. At the time he was writing of the decline and fall of the Athenian Republic over two thousand years before.

**OTHER QUOTES ON DEMOCRACIES:**

*“Did I say "republic?" By God, yes, I said "republic!" Long live the glorious Republic of the United States of America. Damn democracy.”*

*“It is a fraudulent term used, often by ignorant persons but no less often by intellectual fakers, to describe an infamous mixture of socialism, miscegenation, graft, confiscation of property and denial of personal rights to individuals whose virtuous principles make them offensive.” – by Westbrook Pegler in the New York Journal American of January 25th and 26th, 1951, under the titles ‘Upholds Republic of U.S. Against Phony Democracy’ and ‘Democracy in the U.S. Branded Meaningless.’*

*"Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote." - Benjamin Franklin, 1759*

## **Chapter 3 – INALIENABLE RIGHTS and the CITIZEN**

### **INTRODUCTION**

As we examined in the preceding chapter, the form of a nation's government determines whether we are citizens or subjects insofar as the exercise of our Rights are concerned. We recognize that our citizenship is not merely a consequence of residing within a nation's boundaries or our participation in a nation's society, but our citizenship is in fact a function of the 'social contract' described by John Locke, whose ideas were instrumental in the formation of the political philosophy expressed by our founding fathers in the charters of our Liberty. Without Locke, there likely would not have been a Virginia Declaration of Rights, a Declaration of Independence, or the Bill of Rights.

### **WHAT IS A 'NATURAL' RIGHT?**

A natural, or God-given, Right is any independent act not subject to external restraints. Summed by John Locke as "Life, Liberty, and Property", this concept became the basis of American political philosophy and the key theme in the text of the Declaration of Independence.

Our citizenship is based upon the 'Natural Rights' concept, which is in turn derived from "the Ancient Principles" described by Thomas Jefferson. These principles refer to the Ten Commandments, the Magna Carta, and the Common Law. It may be summed as "freewill without harm to others".

Natural Rights have been described by modern libertarians as "your right to swing your fist no further than the nose on my face". A Right, therefore, is the freedom to act in any manner that itself does not infringe upon the natural Rights of others. As long as your actions bring no loss of life, health, liberty, or property; you are exercising the Right freely. When an act causes harm such as injury, death, or the deprivation of liberty or property, then that act is not the exercise of a natural Right but instead the abuse of it. The deliberate abuse of natural rights is referred to in the common law as crime, whether it be by force, fraud, or theft. The non-deliberate infringement of Rights is known as a tort, which is a dispute of a civil nature.

People of faith, Christians in particular, recognize that God is the source of all things, and that Rights come from God alone. Our founders considered it self-evident that all men are created equal, that our Rights are equal and inalienable because of the source from which all Rights come. There are distinctive categories of liberty, a few of which are listed for example:

- Economic liberty – encompassing the Right to contract for an exchange of labor, property, or even ideas; including a fair medium of exchange
- Personal liberty - to travel as one pleases, to be free from fear, or maintain privacy
- Religious liberty –to follow the dictates of one's own conscience
- Political liberty - to vote, participate in, and change one's form of government
- Social liberty - to choose one's associates and be treated respectfully

The acknowledgement of Rights creates Liberty; Liberty in turn results in Freedom. Liberty, while being a birthright of mankind from our Creator, is not automatic. Babies in today's age are deprived of Life by the practice of commercial abortion. People are enslaved by others who are able to exercise force or fraud. Governments use the color of law to deprive people of their Rights on a routine basis, even when said governments claim to adhere to populist or libertarian principles. Criminals may use force, fraud or theft to enrich or gratify themselves at the expense of others' liberties.

When individual Rights are infringed or deprived, people may act – individually or cooperatively – to gain, defend, or restore those Rights. This may come in the form of speech, voting, voluntary association, or other peaceful means. If people are deprived of their liberty, particularly by force or the threat of force, then they retain the right to use force to gain, preserve, or regain their freedoms.

### **ORIGIN OF NATURAL RIGHTS**

Only in America did a nation's founders recognize that rights would not be sustained in society unless they were protected under a code of law that was itself in harmony with a *higher law*. They called it "natural law," or "Nature's law"; such law is the ultimate source and established limit for all of man's laws. It was intended to protect all natural rights for everyone on the premise that we are all created by God and subject to His Supreme Law. James 1:25 declares that the Law of God is the law of Liberty; therefore the Author of the Law is the Giver of Liberty. Furthermore, the Declaration of Independence established the premise that in America, the people might assume the station *"to which the laws of Nature and Nature's God entitle them.."*

Herein lay the security for men's individual rights - an immutable code of law, sanctioned by the Creator of man's rights, and designed to promote, preserve, and protect him and his fellows in the enjoyment of their rights. They believed that such natural law, revealed to man through his reason, was capable of being understood by both the ploughman and the professor. Sir William Blackstone, whose writings trained American's lawyers for its first century, capsulated such reasoning:

*"For as God, when he created matter, and endued it with a principle of mobility, established certain rules for the...direction of that motion; so, when he created man, and endued him with freewill to conduct himself in all parts of life, he laid down certain immutable laws of human nature, whereby that freewill is in some degree regulated and restrained, and gave him also the faculty of reason to discover the purport of those laws."*

What are those natural laws? Blackstone continued:

*"Such among others are these principles: that we should live honestly, should hurt nobody, and should render to every one his due.."*

The Founders saw these as moral duties between individuals. Thomas Jefferson wrote:

***"Man has been subjected by his Creator to the moral law, of which his feelings, or conscience as it is sometimes called, are the evidence with which his Creator has furnished him .... The moral duties which exist between individual and individual in a state of nature, accompany them into a state of society. Their Maker not having released them from those duties on their forming themselves into a nation."***

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America's leaders of 1787 had studied Cicero, Polybius, Coke, Locke, Montesquieu, and Blackstone, among others, as well as the history of the rise and fall of governments, and they recognized the underlying principles of law as those of the Decalogue, the Golden Rule, and the deepest thought of the ages.

An example of the harmony of natural law and natural rights is Blackstone's "that we should live honestly" - otherwise known as "thou shalt not steal" - whose corresponding natural right is that of individual freedom to acquire and own, through honest initiative, private property. In the Founders' view, this law and this right were inalterable and of a higher order than any written law of man. Thus, the Constitution confirmed the law and secured the right and bound both individuals and their representatives in government to a moral code that did not permit either to take the earnings of another without his consent. Under this code, individuals could not band together and do, through government's coercive power, that which was not lawful between individuals.

*"The end of law is not to abolish or restrain, but to preserve and enlarge freedom."  
- John Locke*

The philosophy of Liberty is based on the principle of self-ownership. You own your life, your time, and your labor. For more visit this web page:  
<http://www.isil.org/resources/introduction.swf>



## Chapter 4 – PURPOSE OF GOVERNMENT IN A FREE SOCIETY

The only purpose of a *legitimate* government is to secure individual Rights and the individual or collective exercise of these Rights. In order for a free society to function, all citizens must know the fundamental purpose of legitimate government and the means by which governments may be best formed to insure freedom. A free society is a nation whose citizens are at liberty; people who are not hindered in the exercise of the full range of natural Rights. *“Liberty is not a means to a higher political end. It is itself the highest political end.”* - Lord Acton (1834-1902)

In a *free* society, powers given to the government (a “social contract”) are not unlimited, but specific and few. By limiting those acting on behalf of a society, a means is established whereby those acting for the whole are prevented or seriously hindered from taking actions that would impair or deprive society and its members of any natural Right. Neither are powers exclusive. Powers, granted by the people through an instrument such as a constitution, are merely delegated powers. Government, therefore, may not exercise a monopoly. Chief among these powers is the use of force.

While the People retain the Right to use force to uphold the law (Constitution), usually it is delegated to a public servant such as a county Sheriff. Because our society has become so dependent on public servants to police our communities for us, citizen arrests have become the exception rather than the rule. Nonetheless, our use of policemen, deputies & constables as a ‘select militia’ is generally consistent with the purpose of securing Rights in our society, so long as it conforms to the Constitution.

It should be noted that corrupt governments generally make claims upon the *exclusive* use of ‘legitimate’ force as a pretext for the concentration of power. Use of force not granted or licensed by a (corrupt) government is often labeled as ‘illegitimate’, particularly because it tends to empower the individual rather than the state. When any government moves to outlaw the Right to keep and bear arms, it exposes itself as an enemy of Liberty.

Although the modern, de facto employment of police and military forces are mostly contrary to the legitimate purposes of government in a free society, one must remember that the police and the military are merely tools of the society they serve. Whether they are used correctly or not is one of the responsibilities of citizens; this falls into the broad category of vigilance. In order for government to be kept within its lawful and just role, citizens must remain always vigilant against the corruptible nature of men in power, for the adage is true that power corrupts.

The litmus test for determining the legitimacy of a nation’s government is simple. Does it act in the defense of natural Rights and individual liberty, or does it move to restrict them? *The Right to Arms and the use of arms to compel governmental compliance is the razor edge that separates legitimate governments from their despotic doppelgangers.*

*“Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force. Whenever you give up that force, you are ruined.”* - Patrick Henry

## Chapter 5 – HOW TYRANNY RETURNED TO AMERICA

### INTRODUCTION

As mentioned previously, the first significant abuse of power began in 1794 with the Jay Treaty. It provoked a storm of controversy – Jay was burned in effigy by mobs of outraged Americans; Hamilton was even stoned by an angry crowd in New York. Later, Americans sought to limit the hijacking of our federal government by barristers. In the War Between the States, Abraham Lincoln struck a fatal blow to our Republic and to the Constitution by attempting to preserve the Union at all costs. With States' Rights effectively neutered, there was no thing substantive left to stop the cancer that began eating away at the body politic. Historians believe that the impetus for the secession of the Southern states were the abuses occurring in Washington D.C. that led to the successful ratification of the *Titles of Nobility & Honors Amendment*, sometimes known as the 'Missing 13<sup>th</sup> Amendment' because of its excision from all known libraries and government agencies under the Lincoln administration. With civil war looming, one has to wonder why Lincoln would send his unconstitutionally-appointed *Secret Service* agents to scour the country in search of copies to destroy. Therefore, we will start here to understand what happened.

### FROM BONDAGE, TO LIBERTY, TO BONDAGE

In 1776, we came out of **bondage** with *faith, understanding and courage*. Even against great odds, and with much bloodshed, we battled our way to achieve **Liberty**. Liberty is that delicate area between the force of government and the free will of man. **Liberty** brings **freedom** of choice to work, to trade, to go and live wherever one wishes; it leads to **abundance**. Abundance – if made an end in itself – will result in **complacency**, which leads to **apathy**. Apathy is the "let George do it" philosophy. This always brings **dependency**. For a period of time, dependents are often not aware they are dependent. They delude themselves by thinking they are still free - "We never had it so good." - "We can still vote, can't we?" Eventually abundance diminishes and **dependency** becomes known by its true nature: **BONDAGE!!**

### THE MISSING 13<sup>TH</sup> AMENDMENT – TITLES OF 'NOBILITY' AND 'HONOR'

Original research by David M. Dodge – Edited by Alfred Adask. (Published August 1, 1991)

In the winter of 1983, archival research expert David Dodge, and former Baltimore police investigator Tom Dunn, were searching for evidence of government corruption in public records stored in the Belfast Library on the coast of Maine. By chance, they discovered the library's oldest authentic copy of the Constitution of the United States (printed in 1825). Both men were stunned to see this document included a 13th Amendment that no longer appears on current copies of the Constitution. Moreover, after studying the Amendment's language and historical context, they realized the principle intent of this "missing" 13th Amendment was to prohibit lawyers from serving in government.

So began a seven-year, nationwide search for the truth surrounding the most bizarre Constitutional puzzle in American history -- the unlawful removal of a ratified Amendment from the Constitution of the United States. Since 1983, Dodge and Dunn have uncovered additional copies of the Constitution with the "missing" 13th Amendment printed in at least eighteen separate publications by ten different states and territories over four decades from 1822 to 1860.

In June of this year, Dodge uncovered the evidence that this missing 13th Amendment had indeed been lawfully ratified by the state of Virginia and was therefore an authentic Amendment to the

American Constitution. If the evidence is correct and no logical errors have been made, a 13th Amendment restricting lawyers from serving in government was ratified in 1819 and removed from our Constitution during the tumult of the Civil War.

**Since the Amendment was never lawfully repealed, it is still the Law today. The implications are enormous.**

The story of this "missing" Amendment is complex and at times confusing because the political issues and vocabulary of the American Revolution were different from our own. However, there are essentially two issues: What does the Amendment mean? and, Was the Amendment ratified? Before we consider the issue of ratification, we should first understand the Amendment's meaning and consequent current relevance.

### **The Meaning of the 13<sup>th</sup> Amendment**

The "missing" 13th Amendment to the Constitution of the United States reads as follows:

*"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honour, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."* [Emphasis added]

At the first reading, the meaning of this 13th Amendment (also called the "title of nobility" Amendment) seems obscure, unimportant. The references to "nobility", "honour", "emperor", "king", and "prince" lead us to dismiss this amendment as a petty post-revolution act of spite directed against the British monarchy. But in our modern world of Lady Di and Prince Charles, anti-royalist sentiments seem so archaic and quaint, that the Amendment can be ignored. Not so.

Consider some evidence of its historical significance: First, "titles of nobility" were prohibited in both Article VI of the Articles of Confederation (1777) and in Article I, Sect. 9 of the Constitution of the United States (1778); Second, although already prohibited by the Constitution, an additional "title of nobility" amendment was proposed in 1789, again in 1810, and according to Dodge, finally ratified in 1819. Clearly, the founding fathers saw such a serious threat in "titles of nobility" and "honors" that anyone receiving them would forfeit their citizenship. Since the government prohibited "titles of nobility" several times over four decades, and went through the amending process (even though "titles of nobility" were already prohibited by the Constitution), it's obvious that the Amendment carried much more significance for our founding fathers than is readily apparent today.

### **Historical Context**

To understand the meaning of this "missing" 13th Amendment, we must understand its historical context -- the era surrounding the American Revolution.

We tend to regard the notion of "Democracy" as benign, harmless, and politically unremarkable. But at the time of the American Revolution, King George III and the other monarchies of Europe saw Democracy as an unnatural, ungodly ideological threat, every bit as dangerously radical as Communism was once regarded by modern Western nations. Just as the 1917 Communist Revolution in Russia spawned other revolutions around the world, the American Revolution provided an example and incentive for people all over the world to overthrow their European monarchies.

Even though the Treaty of Paris ended the Revolutionary War in 1783, the simple fact of our existence threatened the monarchies. The United States stood as a heroic role model for other nations; that inspired them to also struggle against oppressive monarchies. The French Revolution (1789-1799) and the Polish national uprising (1794) were in part encouraged by the American Revolution. Though we stood like a beacon of hope for most of the world, the monarchies regarded the United States as a political Typhoid Mary, the principle source of libertarianism that was destroying monarchies around the world. The monarchies must have realized that if the principle source of that infection could be destroyed, the rest of the world might avoid the contagion and the monarchies would be saved.

Their survival at stake, the monarchies sought to destroy or subvert the American system of government. Knowing they could not destroy us militarily, they resorted to more covert methods of political subversion, employing spies and secret agents skilled in bribery and legal deception -- it was, perhaps, the first "cold war". Since governments run on money, politicians run for money, and money is the usual enticement to commit treason, much of the monarchy's counter-revolutionary efforts emanated from English banks.

### **Bankers and Subversion**

The essence of banking was once explained by Sir Josiah Stamp, a former president of the Bank of England: "The modern banking system manufactures money out of nothing. The process is perhaps the most astounding piece of sleight of hand that was ever invented. Banking was conceived in inequity and born in sin... Bankers own the earth. Take it away from them but leave them the power to create money, and, with a flick of a pen, they will create enough money to buy it back again... Take this great power away from them and all great fortunes like mine will disappear, for then this would be a better and happier world to live in... But, if you want to continue to be the slaves of bankers and pay the cost of your own slavery, then let bankers continue to create money and control credit." The last great abuse of our banking system caused the depression of the 1930's. Today's abuses may cause another. The S&L banking scandal illustrates the on-going relationships between banks, lawyers, politicians, and government agencies (look at the infamous BCCI bank scandal, involving lawyer Clark Clifford, politician Jimmy Carter, the Federal Reserve, the FDIC, and even the CIA). These scandals are the direct result of years of law-breaking by an alliance of bankers and lawyers using their influence and money to corrupt the political process and rob the public.

The systematic robbery of productive individuals by parasitic bankers and lawyers is not a recent phenomenon. This abuse is a human tradition that predates the Bible and spread from Europe to America despite early colonial prohibitions.

When the first United States Bank was chartered by Congress in 1790, there were only three state banks in existence. At one time, banks were prohibited by law in most states because many of the early settlers were all too familiar with the practices of the European goldsmith banks.

Goldsmith banks were safe-houses used to store client's gold. In exchange for the deposited gold, customers were issued notes (paper money) which were redeemable in gold. The goldsmith bankers quickly succumbed to the temptation to issue "extra" notes, (unbacked by gold). Why? Because the "extra" notes enriched the bankers by allowing them to buy property with notes for gold that they did not own, gold that did not even exist.

Colonists knew that bankers occasionally printed too much paper money, found themselves over-leveraged, and caused a "run on the bank". If the bankers lacked sufficient gold to meet the demand, the paper money became worthless and common citizens left holding the paper were ruined. Although over-leveraged bankers were sometime hung, the bankers continued printing extra money to increase their fortunes at the expense of the productive members of society. (The practice continues to this day, and offers "sweetheart" loans to bank insiders, and even provides the foundation for deficit spending and our federal government's unbridled growth.)

### **Paper Money**

If the colonists forgot the lessons of goldsmith bankers, the American Revolution refreshed their memories. To finance the war, Congress authorized the printing of continental bills of credit in an amount not to exceed \$200,000,000. The States issued another \$200,000,000 in paper notes. Ultimately, the value of the paper money fell so low that they were soon traded on speculation from 5000 to 1000 paper bills for one coin.

It is often suggested that our Constitution's prohibition against a paper economy -- "No State shall... make any Thing but gold and silver Coin a tender in Payment of Debts" -- was a tool of the wealthy to be worked to the disadvantage of all others. But only in a "paper" economy can money reproduce itself and increase the claims of the wealthy at the expense of the productive.

"Paper money," said Pelatiah Webster, "polluted the equity of our laws, turned them into engines of oppression, corrupted the justice of our public administration, destroyed the fortunes of thousands who had confidence in it, enervated the trade, husbandry, and manufactures of our country, and went far to destroy the morality of our people."

### **Real Conspiracies**

A few examples of the attempts by the monarchies and banks that almost succeeded in destroying the United States:

According to the Tennessee Laws (1715-1320, vol. II, p. 774), in the 1794 Jay Treaty, the United States agreed to pay 600,000 pounds sterling to King George III, as reparations for the American revolution. *The Senate ratified the treaty in secret session and ordered that it not be published.* When Benjamin Franklin's grandson published it anyway, the exposure and resulting public up-roar so angered the Congress that it passed the Alien and Sedition Acts (1798) so federal judges could prosecute editors and publishers for reporting the truth about the government.

Since we had won the Revolutionary War, why would our Senators agree to pay reparations to the loser? And why would they agree to pay 600,000 pounds sterling, eleven years after the war ended? It doesn't make sense, especially in light of Senate's secrecy and later fury over being exposed, unless we assume our Senators had been bribed to serve the British monarchy and betray the American people. That's subversion.

The United States Bank had been opposed by the Jeffersonians from the beginning, but the Federalists (led by the pro-aristocracy minded Alexander Hamilton) won out in its establishment. The initial capitalization was \$10,000,000 -- 80% of which would be owned by foreign bankers. Since the bank was authorized to lend up to \$20,000,000 (double its paid in capital), it was a profitable deal for both the government and the bankers since they could lend, and collect interest on, \$10,000,000 that didn't exist.

However, the European bankers outfoxed the government and by 1796, the government owed the bank \$6,200,000 and was forced to sell its shares. (By 1802 our government owned no stock in the United States Bank.)

The sheer power of the banks and their ability to influence representative government by economic manipulation and outright bribery was exposed in 1811, when the people discovered that European banking interests owned 80% of the bank. Congress therefore refused to renew the bank's charter. This led to the withdrawal of \$7,000,000 in specie by European investors, which in turn, precipitated an economic recession, and the War of 1812. That's destruction.

There are undoubtedly other examples of the monarchy's efforts to subvert or destroy the United States; some are common knowledge, others remain to be disclosed to the public. For example, David Dodge discovered a book called "2 VA LAW" in the Library of Congress Law Library. According to Dodge, "This is an un-catalogued book in the rare book section that reveals a plan to overthrow the constitutional government by secret agreements engineered by the lawyers. That is one of the reasons why this amendment was ratified by Virginia and the notification ~lost in the mail.' There is no public record that this book exists."

That may sound surprising, but according to The Gazette (5/10/91), "the Library of Congress has 349,402 un-catalogued rare books and 13.9 million un-catalogued rare manuscripts." There may be secrets buried in that mass of documents even more astonishing than a missing Constitutional Amendment.

### **Titles of Nobility**

In seeking to rule the world and destroy the United States, bankers committed many crimes. Foremost among these crimes were fraud, conversion, and plain old theft. To escape prosecution for their crimes, the bankers did the same thing any career criminal does. They hired and formed alliances with the best lawyers and judges that money could buy. These alliances, originally forged in Europe (particularly in Great Britain), spread to the colonies, and later into the newly formed United States of America.

Despite their criminal foundation, these alliances generated wealth, and ultimately, respectability. Like any modern member of organized crime, English bankers and lawyers wanted to be admired as "legitimate businessmen". As their criminal fortunes grew so did their usefulness, so the British monarchy legitimized these thieves by granting them "titles of nobility".

Historically, the British peerage system referred to knights as "Squires" and to those who bore the knight's shields as "Esquires". As lances, shields, and physical violence gave way to the more civilized means of theft, the pen grew mightier (and more profitable) than the sword, and the clever wielders of those pens (bankers and lawyers) came to hold titles of nobility. The most common title was "Esquire" (used, even today, by some lawyers).

### **International Bar Association**

In Colonial America, attorneys trained attorneys but most held no "title of nobility" or "honor". There was no requirement that one be a lawyer to hold the position of district attorney, attorney general, or judge; a citizen's "counsel of choice" was not restricted to a lawyer; there were no state or national bar associations. The only organization that certified lawyers was the International Bar Association (IBA), chartered by the King of England, headquartered in London, and closely associated with the international banking system. Lawyers admitted to the IBA received the rank "Esquire" -- a "title of nobility".

"Esquire" was the principle title of nobility that the 13th Amendment sought to prohibit from the United States. Why? **Because the loyalty of "Esquire" lawyers was suspect.** Bankers and lawyers with an "Esquire" behind their names were agents of the monarchy, members of an organization whose principle purposes were political, not economic, and regarded with the same wariness that some people today reserve for members of the KGB or the CIA.

Article 1, Sect. 9 of the Constitution sought to prohibit the International Bar Association (or any other agency that granted titles of nobility) from operating in America. But the Constitution neglected to specify a penalty, so the prohibition was ignored, and agents of the monarchy continued to infiltrate and influence the government (as in the Jay Treaty and the US Bank charter incidents). Therefore, a "title of nobility" amendment that specified a penalty (loss of citizenship) was proposed in 1789, and again in 1810. **The meaning of the amendment is seen in its intent to prohibit persons having titles of nobility and loyalties to foreign governments; and to prohibit them from voting, holding public office, or using their skills to subvert the government.**

### **Honors**

The missing Amendment is referred to as the "title of nobility" Amendment, but the second prohibition against "honour" (honor), may be more significant.

According to David Dodge, Tom Dunn, and Webster's Dictionary, the archaic definition of "honor" (as used when the 13th Amendment was ratified) meant anyone "obtaining or having an advantage or privilege over another". A contemporary example of an "honor" granted to only a few Americans is the privilege of being a judge: Lawyers can be judges and exercise the attendant privileges and powers; non-lawyers cannot.

By prohibiting "honors", the missing Amendment prohibits any advantage or privilege that would grant some citizens an unequal opportunity to achieve or exercise political power. **Therefore, the second meaning (intent) of the 13th Amendment was to ensure political equality among all American citizens, by prohibiting anyone, even government officials, from claiming or exercising a special privilege or power (an "honor") over other citizens.**

If this interpretation is correct, "honor" would be the key concept in the 13th Amendment. Why? Because, while "titles of nobility" may no longer apply in today's political system, the concept of "honor" remains relevant.

For example, anyone who had a specific "immunity" from lawsuits which were not afforded to all citizens, would be enjoying a separate privilege, an "honor", and would therefore forfeit his right to vote or hold public office. Think of the "immunities" from lawsuits that our judges, lawyers, politicians, and bureaucrats currently enjoy.

As another example, think of all the "special interest" legislation our government passes: "special interests" are simply euphemisms for "special privileges" (honors).

**WHAT IF... Implications if the 13th is Restored**

If the missing 13th Amendment were restored, "special interests" and "immunities" might be rendered unconstitutional. The prohibition against "honors" (privileges) would compel the entire government to operate under the same laws as the citizens of this nation. Without their current personal immunities (honors), our judges and I.R.S. agents would be unable to abuse common citizens without fear of legal liability. If this 13th Amendment were restored, our entire government would have to conduct itself according to the same standards of decency, respect, law, and liability as the rest of the nation. If this Amendment and the term "honor" were applied today, our government's ability to systematically coerce and abuse the public would be all but eliminated.

Imagine! A government without special privileges or immunities. How could we describe it? It would be ... almost like ... a government ... of the people ... by the people ... for the people!

Imagine: a government ... whose members were truly accountable to the public; a government that could not systematically exploit its own people!

It's unheard of ... it's never been done before. Not ever in the entire history of the world.

Bear in mind that Senator George Mitchell of Maine and the National Archives concede this 13th Amendment was proposed by Congress in 1810. However, they explain that there were seventeen states when Congress proposed the "title of nobility" Amendment; that ratification required the support of thirteen states, but since only twelve states supported the Amendment, it was not ratified. The Government Printing Office agrees; it currently prints copies of the Constitution of the United States which include the "title of nobility" Amendment as proposed, but un-ratified.

Even if this 13th Amendment were never ratified, even if Dodge and Dunn's research or reasoning is flawed or incomplete, it would still be an extraordinary story.

Can you imagine, can you understand how close we came to having a political paradise, right here on Earth? Do you realize what an extraordinary gift our forebears tried to bequeath us? And how close we came? One vote. One state's vote.

The federal government concedes that twelve states voted to ratify this Amendment between 1810 and 1812. But they argue that ratification required thirteen states, so the Amendment lays stillborn in history, unratified for lack of a just one more state's support.

One vote.

*David Dodge, however, says one more state did ratify and he said he has the evidence to prove it.*

**Paradise Lost**

In 1789, the House of Representatives compiled a list of possible Constitutional Amendments, some of which would ultimately become our Bill of Rights. The House proposed seventeen; the Senate reduced the list to twelve. During this process that Senator Tristram Dalton (Mass.) proposed an Amendment seeking to prohibit and provide a penalty for any American accepting a "title of Nobility" (RG 46 Records of the U.S. Senate). Although it wasn't passed, this was the first time a "title of nobility" amendment was proposed.

Twenty years later, in January, 1810, Senator Reed proposed another "Title of Nobility" Amendment (History of Congress, Proceedings of the Senate, p. 529-530). On April 27, 1810, the Senate voted to pass this 13th Amendment by a vote of 26 to 1; the House resolved in the affirmative 87 to 3; and the following resolve was sent to the States for ratification:

*"If any citizen of the United States shall Accept, claim, receive or retain any title of nobility or honour, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them."*

The Constitution requires three-quarters of the states to ratify a proposed amendment before it may be added to the Constitution. When Congress proposed the "Title of Nobility" Amendment in

1810, there were seventeen states, thirteen of which would have to ratify for the Amendment to be adopted. According to the National Archives, the following is a list of the twelve states that ratified, and their dates of ratification:

Maryland,	Dec. 25, 1810
Kentucky,	Jan. 31, 1811
Ohio,	Jan. 31, 1811
Delaware,	Feb. 2, 1811
Pennsylvania,	Feb. 6, 1811
New Jersey,	Feb. 13, 1811
Vermont,	Oct. 24, 1811
Tennessee,	Nov. 21, 1811
Georgia,	Dec. 13, 1811
North Carolina,	Dec. 23, 1811
Massachusetts,	Feb. 27, 1812
New Hampshire,	Dec. 10, 1812

Before a thirteenth state could ratify, the War of 1812 broke out with England. By the time the war ended in 1814, the British had burned the Capitol, the Library of Congress, and most of the records of the first 38 years of government. Whether there was a connection between the proposed "title of nobility" amendment and the War of 1812 is not known. However, the momentum to ratify the proposed Amendment was lost in the tumult of war.

Then, four years later, on December 31, 1817, the House of Representatives resolved that President Monroe inquire into the status of this Amendment. In a letter dated February 6, 1818, President Monroe reported to the House that the Secretary of State Adams had written to the governors of Virginia, South Carolina and Connecticut to tell them that the proposed Amendment had been ratified by twelve States and rejected by two (New York and Rhode Island), and asked the governors to notify him of their legislature's position. (House Document No. 76)

*(This, and other letters written by the President and the Secretary of State during the month of February, 1818, note only that the proposed Amendment had not yet been ratified. However, these letters would later become crucial because, in the absence of additional information they would be interpreted to mean the amendment was never ratified).*

On February 28, 1818, Secretary of State Adams reported the rejection of the Amendment by South Carolina. [House Doc. No. 129]. There are no further entries regarding the ratification of the 13th Amendment in the Journals of Congress; whether Virginia ratified is neither confirmed nor denied. Likewise, a search through the executive papers of Governor Preston of Virginia does not reveal any correspondence from Secretary of State Adams. (However, there is a journal entry in the Virginia House that the Governor presented the House with an official letter and documents from Washington within a time frame that conceivably includes receipt of Adams' letter.) Again; no evidence of ratification, none of denial.

However, on March 10, 1819, the Virginia legislature passed Act No. 280 (Virginia Archives of Richmond, "misc." file, p. 299 for micro-film): "Be it enacted by the General Assembly, that there shall be published an edition of the Laws of this Commonwealth in which shall be contained the following matters, that is to say: the Constitution of the united States and the amendments thereto..." This act was the specific legislated instructions on what was, by law, to be included in the republication (a special edition) of the Virginia Civil Code. The Virginia Legislature had already agreed that all Acts were to go into effect on the same day -- the day that the Act to re-publish the Civil Code was enacted. Therefore, the 13th Amendment's official date of ratification would be the date of republication of the Virginia Civil Code: March 12, 1819.

## **Ratification Found**

The Delegates knew Virginia was the last of the 13 States that were necessary for the ratification of the 13th Amendment. They also knew there were powerful forces allied against this ratification so they took extraordinary measures to make sure that it was published in sufficient quantity (4,000 copies were ordered, almost triple their usual order), and instructed the printer to send a copy to President James Monroe as well as James Madison and Thomas Jefferson. (The printer, Thomas Ritchie, was bonded. He was required to be extremely accurate in his research and his printing, or he would forfeit his bond.)

In this fashion, Virginia announced the ratification: by publication and dissemination of the Thirteenth Amendment of the Constitution.

There is question as to whether Virginia ever formally notified the Secretary of State that they had ratified this 13th Amendment. Some have argued that because such notification was not received (or at least, not recorded), the Amendment was therefore not legally ratified. However, printing by a legislature is prima facie evidence of ratification.

Further, there is no Constitutional requirement that the Secretary of State, or anyone else, be officially notified to complete the ratification process. The Constitution only requires that three-fourths of the states ratify for an Amendment to be added to the Constitution. If three-quarters of the states ratify, the Amendment is passed. Period. The Constitution is otherwise silent on what procedure should be used to announce, confirm, or communicate the ratification of amendments.

**Knowing they were the last state necessary to ratify the Amendment, the Virginians had every right to announce their own and the nation's ratification of the Amendment by publishing it on a special edition of the Constitution, and so they did.**

Word of Virginia's 1819 ratification spread throughout the States and both Rhode Island and Kentucky published the new Amendment in 1822. Ohio first published in 1824. Maine ordered 10,000 copies of the Constitution with the 13th Amendment to be printed for use in the schools in 1825, and again in 1831 for their Census Edition. Indiana Revised Laws of 1831 published the 13th Article on p. 20. Northwestern Territories published in 1833. Ohio published in 1831 and 1833. Then came the Wisconsin Territory in 1839; Iowa Territory in 1843; Ohio again, in 1848; Kansas Statutes in 1855; and Nebraska Territory six times in a row from 1855 to 1860.

So far, David Dodge has identified eleven different states or territories that printed the Amendment in twenty separate publications over forty-one years. And more editions including this 13th Amendment are sure to be discovered. Clearly, Dodge is onto something.

You might be able to convince some of the people, or maybe even all of them, for a little while, that this 13th Amendment was never ratified. Maybe you can show them that the ten legislatures which ordered it published eighteen times we've discovered (so far) consisted of ignorant politicians who don't know their amendments from their ... ahh, articles. You might even be able to convince the public that our forefathers never meant to "outlaw" public servants who pushed people around, accepted bribes or special favors to "look the other way." Maybe. But before you do, there's an awful lot of evidence to be explained.

### **The Amendment Disappears**

In 1829, the following note appears on p. 23, Vol. 1 of the New York Revised Statutes:

"In the edition of the Laws of the U.S. before referred to, there is an amendment printed as article 13, prohibiting citizens from accepting titles of nobility or honor, or presents, offices, &c. from foreign nations. But, by a message of the president of the United States of the 4th of February, 1818, in answer to a resolution of the House of Representatives, it appears that this amendment had been ratified only by 12 states, and therefore had not been adopted. See Vol. IV of the printed papers of the 1st session of the 15th congress, No. 76." In 1854, a similar note appeared in the Oregon Statutes. Both notes refer to the Laws of the United States, 1st vol. p. 73 (or 74).

It's not yet clear whether the 13th Amendment was published in Laws of the United States, 1st Vol., prematurely, by accident, in anticipation of Virginia's ratification, or as part of a plot to discredit the Amendment by making it appear that only twelve States had ratified. Whether the Laws of the United States Vol. 1 (carrying the 13th Amendment) was re-called or made-up is unknown. In fact,

it's not even clear that the specified volume was actually printed -- the Law Library of the Library of Congress has no record of its existence.

However, because the notes authors reported no further references to the 13th Amendment after the Presidential letter of February, 1818, they apparently assumed the ratification process had ended in failure at that time. If so, they neglected to seek information on the Amendment after 1818, or at the state level, and therefore missed the evidence of Virginia's ratification. This opinion -- assuming that the Presidential letter of February, 1818, was the last word on the Amendment -- has persisted to this day.

In 1849, Virginia decided to revise the 1819 Civil Code of Virginia (which had contained the 13th Amendment for 30 years). It was at that time that one of the code's revisers (a lawyer named Patton) wrote to the Secretary of the Navy, William B. Preston, asking if this Amendment had been ratified or appeared by mistake. Preston wrote to J. M. Clayton, the Secretary of State, who replied that this Amendment was not ratified by a sufficient number of States. This conclusion was based upon the information that Secretary of State J.Q. Adams had provided the House of Representatives in 1818, before Virginia's ratification in 1819. (Even today, the Congressional Research Service tells anyone asking about this 13th Amendment this same story: that only twelve states, not the requisite thirteen, had ratified.) However, despite Clayton's opinion, the Amendment continued to be published in various states and territories for at least another eleven years (the last known publication was in the Nebraska territory in 1860).

Once again the 13th Amendment was caught in the riptides of American politics. South Carolina seceded from the Union in December of 1860, signaling the onset of the Civil War. In March, 1861, President Abraham Lincoln was inaugurated.

Later in 1861, another proposed amendment, also numbered thirteen, was signed by President Lincoln. This was the only proposed amendment that was ever signed by a president. That resolve to amend read: "ARTICLE THIRTEEN, No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State." (In other words, President Lincoln had signed a resolve that would have permitted slavery, and upheld states' rights.) Only one State, Illinois, ratified this proposed amendment before the Civil War broke out in 1861.

In the tumult of 1865, the original 13th Amendment was finally removed from our Constitution. On January 31, another 13th Amendment (which prohibited slavery in Sect. 1, and ended states' rights in Sect. 2) was proposed. On April 9, the Civil War ended with General Lee's surrender. On April 14, President Lincoln (who, in 1861, had signed the proposed Amendment that would have allowed slavery and states rights) was assassinated. On December 6, the "new" 13th Amendment loudly prohibiting slavery (and quietly surrendering states rights to the federal government) was ratified, replacing and effectively erasing the original 13th Amendment that had prohibited "titles of nobility" and "honors".

**Significance of Removal**

To create the present oligarchy (rule by lawyers) which we now endure, the lawyers first had to remove the 13th "titles of nobility" Amendment that might otherwise have kept them in check. In fact, it was not until after the Civil War and after the disappearance of this 13th Amendment, that American bar associations began to appear and exercise political power.

Since the unlawful deletion of the 13th Amendment, the newly developing bar associations began working diligently to create a system wherein lawyers took on a title of privilege and nobility as "Esquires" and received the "honor" of offices and positions (like district attorney or judge) that only lawyers may now hold. By virtue of these titles, honors, and special privileges, lawyers have assumed political and economic advantages over the majority of U.S. citizens. Through these privileges, they have nearly established a two-tiered citizenship in this nation where a majority may vote, but only a minority (lawyers) may run for political office. This two-tiered citizenship is clearly contrary to Americans' political interests, the nation's economic welfare, and the Constitution's egalitarian spirit.

**The significance of this missing 13th Amendment and its deletion from the Constitution is this: Since the amendment was never lawfully nullified, it is still in full force and effect and is the Law of the land.** If public support could be awakened, this missing Amendment might provide a legal basis to challenge many existing laws and court decisions previously made by lawyers who were unconstitutionally elected or appointed to their positions of power; it might even mean the removal of lawyers from our current government system.

**To the Archives!**

Each of Sen. Mitchell's and Mr. Hartgrove's arguments against ratification have been overcome or badly weakened. Still, some of the evidence supporting ratification is inferential; some of the conclusions are only implied. But it's no wonder that there's such an austere sprinkling of hard evidence surrounding this 13th Amendment: According to The Gazette (5/10/91), the Library of Congress has 349,402 un-catalogued rare books and 13.9 million un-catalogued rare manuscripts. The evidence of ratification seems tantalizingly close but remains buried in those masses of un-catalogued documents, waiting to be found. It will take some luck and some volunteers to uncover the final proof.

We have an Amendment that looks like a duck, walks like a duck, and quacks like a duck. But because we have been unable to find the eggshell from which it hatched in 1819, Sen. Mitchell and Mr. Hartgrove insist we can't ... quite ... absolutely prove it's a duck, and therefore, the government is under no obligation to concede it's a duck. Maybe so.

But if we can't prove it's a duck, they can't prove it's not. If the proof of ratification is not quite conclusive, the evidence against ratification is almost nonexistent, largely a function of the government's refusal to acknowledge the proof.

We are left in the peculiar position of boys facing bullies in the schoolyard. We show them proof that they should again include the "missing" 13th Amendment on the Constitution; they sneer and jeer and taunt us with cries of "make us". Perhaps we shall.

The debate goes on. The mystery continues to unfold. The answer lies buried in the archives.

If you are close to a state archive or large library anywhere in the USA, please search for editions of the U.S. Constitution printed between 1819 and 1870. If you find more evidence of the "missing" 13th Amendment please contact David Dodge, POB 985, Taos, New Mexico, 87571.

1) It's worth noting that Rick Donaldson, another researcher, uncovered certified copies of the 1865 and 1867 editions of the Colorado Civil Codes which also contain the missing Amendment. Although these editions were stored in the Colorado state archive, their existence was previously un-catalogued and unknown to the Colorado archivists.

2) If there's insufficient evidence that Virginia did ratify in 1819 (there is no evidence that Virginia did not), this raises a fantastic possibility. Since there was no time limit specified when the Amendment was proposed, and since the government clearly believed only Virginia's vote remained to be counted in the ratification issue, the current state legislature of Virginia could theoretically vote to ratify the Amendment, send the necessary certificates to Washington, and thereby add the Amendment to the Constitution.

**Article XIII of Amendments to the United States Constitution – Ratified March 12, 1819**

*If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.*

<http://www.amendment-13.org>

**BIG CORPORATIONS & BIG GOVERNMENT**

Tyranny = Big Corporations + Big Government – We the People. This is the fundamental relationship that forced the conflict between the colonists and England, and the establishment of antitrust laws in the late 1880's. After World War 1, Maj. Gen. Smedley Butler decried the collusion between big business and government in his book, 'War Is A Racket'. After WW2, President Eisenhower warned about the buildup of a 'military-industrial complex'.

In his book, *Uncommon Sense*, William James Murray wrote: "Big businessmen everywhere are monopoly lovers. They want it all, and hate competition. If they can't beat the competition fair and square, their bully nature surfaces and they become willing to play dirty to get the job done."

"Playing dirty means using their great power and wealth to buy control of the people who run their government and make the laws... Big businessmen always control the governments in their respective countries. Government is the only culprit which can keep a monopoly alive."

Add to this the evils of centralized banking, which is the financial facilitator for Big Business. Thomas Jefferson said; "*The central bank is an institution of the most deadly hostility existing against the Principles and form of our Constitution. I am an enemy to all banks, discounting bills or notes for anything but Coin. If the American People allow private banks to control the issuance of their currency, first by inflation and then by deflation, the banks and corporations that will grow up around them will deprive the People of all their Property until their Children will wake up homeless on the continent their Fathers conquered.*"

There are people who are organized into different associations that promote the power-elite, the total global state, and the economic rape of the masses. These people are addicted to power and wealth, and no amount is sufficient to satisfy this lust. Some of these organizations include the Bilderbergers, the Council on Foreign Relations, and the Trilateral Commission. The names of these organizations are not as important as the fact that these people conspire through theft, fraud and sometimes even force to live lavishly on the backs of the people of the world; in fact the organizations have changed over the past 200 years. What has not changed is the fact that they are enslaving people without using literal chains.

## **THE ADVANCEMENT OF TYRANNY IN THE 20<sup>TH</sup> CENTURY**

One hardly knows where to start with regard to the growing tyranny in America without studying the movement known as globalism, also called (in their own words) the "New World Order". Because this term has been used extensively and historically by the enemies of Liberty, it cannot be dismissed as the fodder of wild-eyed conspiracy theorists. Globalism is in fact just a catchword for 'global socialism'.

### ***The New World Order Timeline:***

**1912** -- Colonel Edward Mandell House, a close advisor of President Woodrow Wilson, publishes *Phillip Dru: Administrator* in which he promotes "socialism as dreamed of by Karl Marx."

**1913** -- The Federal Reserve (neither federal nor a reserve) is created. It was planned at a secret meeting in 1910 on Jekyll Island, Georgia by a group of bankers and politicians, including Col. House. This transferred the power to create money from the American government to a private group of bankers. It is probably the largest generator of debt in the world.

**July 28, 1914** -- World War I is triggered by the assassination of Archduke Francis Ferdinand of Austria.

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**May 27, 1916** -- President Woodrow Wilson proposes at the League of Nations in a speech before the League to Enforce Peace, what was needed to prevent the recurrence of a similar war was a world government.

**November 11, 1918** -- The end of World War I, after the signing of the Armistice at the 11th hour on the 11th day of the 11th month. Now known as 'Veteran's Day'.

**May 30, 1919** -- Prominent British and American personalities establish the Royal Institute of International Affairs in England and the Institute of International Affairs in the U.S. at a meeting arranged by Col. House attended by various Fabian socialists, including noted economist John Maynard Keynes. Two years later, Col. House reorganizes the Institute of International Affairs into the Council on Foreign Relations (CFR).

**December 15, 1922** -- The CFR endorses World Government in its magazine *Foreign Affairs*. Author Philip Kerr, states:

"Obviously there is going to be no peace or prosperity for mankind as long as [the earth] remains divided into 50 or 60 independent states until some kind of international system is created...The real problem today is that of the world government."

**1928** -- *The Open Conspiracy: Blue Prints for a World Revolution* by H.G. Wells is published. A former Fabian Socialist, Wells writes:

"The political world of the Open Conspiracy must weaken, efface, incorporate and supersede existing governments... The Open Conspiracy is the natural inheritor of socialist and communist enthusiasms; it may be in control of Moscow before it is in control of New York... The character of the Open Conspiracy will now be plainly displayed... It will be a world religion."

**1932** -- New books are published urging a New World Order:

***Toward Soviet America*** by William Z. Foster. Head of the Communist Party USA, Foster indicates that a National Department of Education would be one of the means used to develop a new socialist society in the U.S.

***The New World Order*** by F.S. Marvin, describing the League of Nations as the first attempt at a New World Order. Marvin says, "nationality must rank below the claims of mankind as a whole."

***Dare the School Build a New Social Order?*** is published. Educator author George Counts asserts that: "...the teachers should deliberately reach for power and then make the most of their conquest" in order to "influence the social attitudes, ideals and behavior of the coming generation...The growth of science and technology has carried us into a new age where ignorance must be replaced by knowledge, competition by cooperation, trust in Providence by careful planning and private capitalism by some form of social economy."

***Plan for Peace*** by American Birth Control League founder Margaret Sanger (1921) is published. ***She calls for coercive sterilization, mandatory segregation, and rehabilitative concentration camps*** for all "dysgenic stocks" including Blacks, Hispanics, American Indians and Catholics.

**1933** -- The ***first Humanist Manifesto*** is published. Co-author John Dewey, the noted philosopher and educator, calls for a synthesizing of all religions and "a socialized and cooperative economic order."

Co-signer C.F. Potter said in 1930: ***"Education is thus a most powerful ally of humanism, and every American public school is a school of humanism. What can the theistic Sunday schools, meeting for an hour once a week, teaching only a fraction of the children, do to stem the tide of a five-day program of humanistic teaching?"***

**1933** -- *The Shape of Things to Come* by H.G. Wells is published. Wells predicts a second world war around 1940, originating from a German-Polish dispute. After 1945 there would be an increasing lack of public safety in "criminally infected" areas. The plan for the "Modern World-State" would succeed on its third attempt (about 1980), and come out of something that occurred in Basra, Iraq (Referring to the U.S.-led Persian Gulf War). The book also states, "Although world government had been plainly coming for some years, and though it had been endlessly feared and murmured against, it found no opposition prepared anywhere."

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**1934** -- *The Externalization of the Hierarchy* by Alice A. Bailey is published. Bailey is an occultist, whose works are channeled from a spirit guide, the Tibetan Master [demon spirit] Djwahl Kuhl. **Bailey uses the phrase "points of light"** in connection with a "New Group of World Servers" and claims that 1934 marks the beginning of "the organizing of the men and women... the world of the Brotherhood...[and] out of the spoliation of all existing culture and civilization, the **new world order** must be built." President George Herbert W. Bush repeated the "points of light" reference in 1991. The book is published by the Lucis Trust, incorporated originally in New York as the Lucifer Publishing Company. Lucis Trust is a United Nations NGO and has been a major player at the recent U.N. summits. Later Assistant Secretary General of the U.N. Robert Mueller would credit the creation of his World Core Curriculum for education to the underlying teachings of Djwahl Kuhl via Alice Bailey's writings on the subject.

**October 28, 1939** -- In an address by John Foster Dulles, later U.S. Secretary of State, he proposes that America lead the transition to a **new order** of less independent, semi-sovereign states bound together by a world league or federal union.

**1939** -- *New World Order* by H. G. Wells proposes a "collectivist one-world state" or "**new world order**" comprised of "socialist democracies." He advocates "universal conscription for service" and declares that "nationalist individualism...is the world's disease." He continues:

"The manifest necessity for some collective world control to eliminate warfare and the less generally admitted necessity for a collective control of the economic and biological life of mankind, are aspects of one and the same process." He proposes that this be accomplished through "universal law" and propaganda (or education)."

**1940** -- *The New World Order* is published by the Carnegie Endowment for International Peace and contains a select list of references on regional and world federation, together with some special plans for world order after the war.

**December 12, 1940** -- In *The Congressional Record* an article entitled **A New World Order** John G. Alexander calls for a world federation.

**September 11, 1941** -- Construction officially began at the Pentagon. 60 years later to the day, the Pentagon was to be attacked on the fateful September 11, 2001. 9-11 called a 'New Pearl Harbor'.

**December 7, 1941** -- Pearl Harbor attacked by the Japanese, in response to provocations by the U.S. Government, which allowed the attacks to happen. <http://www.pearlharbor41.com>

**1942** -- The leftist Institute of Pacific Relations publishes *Post War Worlds* by P.E. Corbett:

"**World government is the ultimate aim...**It must be recognized that the law of nations takes precedence over national law...*The process will have to be assisted by the deletion of the nationalistic material employed in educational textbooks and its replacement by material explaining the benefits of wiser association.*"

**June 28, 1945** -- President Truman endorses world government in a speech:

"It will be just as easy for nations to get along in a republic of the world as it is for us to get along in a republic of the United States."

**October 24, 1945** -- The United Nations Charter becomes effective. Also on October 24, Senator Glen Taylor (D-Idaho) introduces Senate Resolution 183 calling upon the U.S. Senate to go on record as favoring creation of a world republic **including an international police force.**

**1946** -- Alger Hiss is elected President of the Carnegie Endowment for International Peace. Hiss holds this office until 1949. Early in 1950, he is convicted of perjury and sentenced to prison after a sensational trial and Congressional hearing in which Whittaker Chambers, a former senior editor of Time, testifies that Hiss was a member of his Communist Party cell.

**1946** -- *The Teacher and World Government* by former editor of the *NEA Journal* (National Education Association) Joy Elmer Morgan is published. He says:

"In the struggle to establish an adequate **world government**, the teacher...can do much to prepare the hearts and minds of children for global understanding and cooperation...At the very heart of all the agencies which will assure the coming of world government must stand the school, the teacher, and the organized profession."

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**1947** -- The American Education Fellowship, formerly the Progressive Education Association, organized by John Dewey, calls for the:

"...establishment of a genuine world order, an order in which national sovereignty is subordinate to world authority..."

**October, 1947** -- NEA Associate Secretary William Carr writes in the *NEA Journal* that teachers should: "...teach about the various proposals that have been made for the strengthening of the United Nations and the establishment of a world citizenship and world government."

**1948** -- *Walden II* by behavioral psychologist B.F. Skinner proposes "a perfect society or new and more perfect order" **in which children are reared by the State, rather than by their parents and are trained from birth to demonstrate only desirable behavior and characteristics.** Skinner's ideas would be widely implemented by educators in the 1960s, 70s, & 80s as *Values Clarification* and *Outcome Based Education*.

**July, 1948** -- Britain's Sir Harold Butler, in the CFR's *Foreign Affairs*, sees "a **New World Order**" taking shape:

"How far can the life of nations, which for centuries have thought of themselves as distinct and unique, be merged with the life of other nations? How far are they prepared to sacrifice a part of their sovereignty without which there can be no effective economic or political union?...Out of the prevailing confusion a **new world** is taking shape... which may point the way toward the **new order**... That will be the beginning of a real United Nations, no longer crippled by a split personality, but held together by a common faith."

**1948** -- UNESCO president and Fabian Socialist, Sir Julian Huxley, calls for a radical eugenic policy in *UNESCO: Its Purpose and Its Philosophy*. He states:

"Thus, even though it is quite true that any radical eugenic policy of controlled human breeding will be for many years politically and psychologically impossible, it will be important for UNESCO to see that the eugenic problem is examined with the greatest care and that the public mind is informed of the issues at stake that much that is now unthinkable may at least become thinkable."

**1948** -- The preliminary draft of a World Constitution is published by U.S. educators advocating regional federation on the way toward world federation or government with England incorporated into a European federation.

The Constitution provides for a "World Council" along with a "Chamber of Guardians" to enforce world law. Also included is a "Preamble" calling upon nations to surrender their arms to the world government, and includes the right of this "Federal Republic of the World" to seize private property for federal use.

**February 9, 1950** -- The Senate Foreign Relations Subcommittee introduces Senate Concurrent Resolution 66 which begins:

*"Whereas, in order to achieve universal peace and justice, the present Charter of the United Nations should be changed to provide a true world government constitution."*

The resolution was first introduced in the Senate on September 13, 1949 by Senator Glen Taylor (D-Idaho). Senator Alexander Wiley (R-Wisconsin) called it "a consummation devoutly to be wished for" and said, "I understand your proposition is either change the United Nations, or change or create, by a separate convention, a world order." Senator Taylor later stated:

*"We would have to sacrifice considerable sovereignty to the world organization to enable them to levy taxes in their own right to support themselves."*

**April 12, 1952** -- John Foster Dulles, later to become Secretary of State, says in a speech to the American Bar Association in Louisville, Kentucky, that "treaty laws can override the Constitution." He says treaties can take power away from Congress and give them to the President. They can take powers from the States and give them to the Federal Government or to some international body and they can cut across the rights given to the people by their constitutional Bill of Rights.

**A Senate amendment, proposed by GOP Senator John Bricker, would have provided that no treaty could supersede the Constitution, but it fails to pass by one vote.**

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**1954** -- **Prince Bernhard** of the Netherlands establishes the **Bilderbergers**, international politicians and bankers who meet secretly on an annual basis, even to this day.

**1958** -- *World Peace through World Law* is published, where authors Grenville Clark and Louis Sohn **advocate using the U.N. as a governing body for the world, world disarmament, a world police force and legislature.**

**1959** -- The Council on Foreign Relations calls for a **New International Order**. *Study Number 7*, issued on November 25, advocated:

"...**new international order** [which] must be responsive to world aspirations for peace, for social and economic change...an international order...including states labeling themselves as 'socialist' [communist]."

**1959** -- The World Constitution and Parliament Association is founded which later develops a *Diagram of World Government under the Constitution for the Federation of Earth*.

**1959** -- *The Mid-Century Challenge to U.S. Foreign Policy* is published, sponsored by the Rockefeller Brothers' Fund. It explains that the U.S.:

"...cannot escape, and indeed should welcome...the task which history has imposed on us. This is the task of helping to shape a **new world order** in all its dimensions -- spiritual, economic, political, social."

**September 9, 1960** -- President Eisenhower signs Senate Joint Resolution 170, promoting the concept of a federal Atlantic Union. Pollster and Atlantic Union Committee treasurer, Elmo Roper, later delivers an address titled, *The Goal Is Government of All the World*, in which he states:

"For it becomes clear that the first step toward World Government cannot be completed until we have advanced on the four fronts: the economic, the military, the political and the social."

**1961** -- The U.S. State Department issues a plan to disarm all nations and arm the United Nations. State Department Document Number 7277 is entitled *Freedom From War: The U.S. Program for General and Complete Disarmament in a Peaceful World*. It details a three-stage plan to disarm all nations and arm the U.N. with the final stage in which "no state would have the military power to challenge the progressively strengthened U.N. Peace Force."

**1962** -- New Calls for World Federalism. In a study titled, *A World Effectively Controlled by the United Nations*, CFR member Lincoln Bloomfield states:

"...if the communist dynamic was greatly abated, the West might lose whatever incentive it has for world government."

**1963** -- J. William Fulbright, Chairman of the Senate Foreign Relations Committee speaks at a symposium sponsored by the Fund for the Republic, a left-wing project of the Ford Foundation:

"The case for government by elites is irrefutable...government by the people is possible but highly improbable."

**November 22, 1963** -- President Kennedy is assassinated. Among the numerous but rarely discussed possible motives for the assassination is Kennedy's intention to abolish the Federal Reserve, the income tax, and return the U.S. currency to the control of the Treasury.

**1964** -- *Taxonomy of Educational Objectives, Handbook II* is published. Author Benjamin Bloom states:

"...a large part of what we call 'good teaching' is the teacher's ability to attain affective objectives through challenging the students' fixed beliefs."

His Outcome-Based Education (OBE) method of teaching would first be tried as Mastery Learning in Chicago schools. After five years, Chicago students' test scores had plummeted; causing outrage among parents. OBE would leave a trail of wreckage wherever it would be tried and under whatever name it would be used. At the same time, it would become crucial to globalists for overhauling the education system to promote attitude changes among school students.

**1964** -- The Center for the Study of Democratic Institutions, an offshoot of the Ford Foundation, began writing the "**Constitution for the Newstates of America**" to replace the **U.S. Constitution**. It took ten years and hundreds of thousands of dollars to write and is supported by the Rockefeller group.

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**1967** -- Richard Nixon calls for **New World Order**. In *Asia after Vietnam*, in the October issue of *Foreign Affairs*, Nixon writes of nations' dispositions to evolve regional approaches to development needs and to the evolution of a "new world order."

**1968** -- Joy Elmer Morgan, former editor of the *NEA Journal* publishes *The American Citizens Handbook* in which he says:

"the coming of the United Nations and the urgent necessity that it evolve into a more comprehensive form of world government places upon the citizens of the United States an increased obligation to make the most of their citizenship which now widens into active world citizenship."

**1970** -- Education and the mass media promote world order. In *Thinking About A New World Order for the Decade 1990*, author Ian Baldwin, Jr. asserts that:

"...the World Law Fund has begun a worldwide research and educational program that will introduce a new, emerging discipline -- **world order** -- into educational curricula throughout the world...and to concentrate some of its energies on bringing basic world order concepts into the mass media again on a worldwide level."

**May 18, 1972** -- In speaking of the coming of world government, Roy M. Ash, director of the Office of Management and Budget, declares that:

"within two decades the institutional framework for a world economic community will be in place...[and] aspects of individual sovereignty will be given over to a supernational authority." By 1995, The World Trade Organization, GATT, and the North American Free Trade Agreement have been ratified.

**September 11, 1972** -- The world was introduced to terrorism at the 1972 Munich Olympic Games. There were 11 Israeli athletes killed. Exactly 29 years after this attack, another more despicable horror occurred - the September 11, 2001 terrorist attacks.

**1973** -- The Trilateral Commission is established. Banker David Rockefeller organizes this new private body and chooses Zbigniew Brzezinski, later National Security Advisor to President Carter, as the Commission's first director and invites Jimmy Carter to become a founding member.

**1973** -- *Humanist Manifesto II* is published:

"The next century can be and should be the humanistic century...we stand at the dawn of a new age...a secular society on a planetary scale....As non-theists we begin with humans not God, nature not deity...we deplore the division of humankind on nationalistic grounds....Thus we look to the development of a system of world law and a world order based upon transnational federal government....The true revolution is occurring."

**September 11, 1973** -- Chilean President Salvador Allende is killed in a brutal, violent military coup led by General Augusto Pinochet. Henry Kissinger was strongly implicated in this attack, and if he were to ever stand trial in an International Court, it is likely he would be charged with masterminding this coup and ordering the assassination of Allende.

**April, 1974** -- Former U. S. Deputy Assistant Secretary of State, Trilateralist and CFR member Richard Gardner's article *The Hard Road to World Order* is published in the CFR's *Foreign Affairs* where he states that:

"the 'house of world order' will have to be built from the bottom up rather than from the top down...**but an end run around national sovereignty, eroding it piece by piece, will accomplish much more than the old-fashioned frontal assault.**"

**1975** -- A study titled, *A New World Order*, is published by the Center of International Studies, Woodrow Wilson School of Public and International Studies, Princeton University.

**1975** -- In Congress, 32 Senators & 92 Representatives sign *A Declaration of Interdependence*, written by historian Henry Steele Commager. The Declaration states that:

"we must join with others to bring forth a **new world order**... Narrow notions of national sovereignty must not be permitted to curtail that obligation."

**Congresswoman Marjorie Holt refuses to sign the Declaration, saying:**

"It calls for the surrender of our national sovereignty to international organizations. It declares that our economy should be regulated by international authorities. It proposes

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that we enter a 'new world order' that would redistribute the wealth created by the American people."

**1975** -- Retired Navy Admiral Chester Ward, former Judge Advocate General of the U.S. Navy and former CFR member, writes in a critique that **the goal of the CFR is the "submergence of U. S. sovereignty and national independence into an all powerful one-world government..."**

**1975** -- *Kissinger on the Couch* is published. Authors Phyllis Schlafly and former CFR member Chester Ward state:

"Once the ruling members of the CFR have decided that the U.S. government should espouse a particular policy, the very substantial research facilities of the CFR are put to work to develop arguments, intellectual and emotional, to support the new policy and to confound, discredit, intellectually and politically, any opposition..."

**1976** -- *RIO: Reshaping the International Order* is published by the globalist Club of Rome, calling for a **new international order**, including an economic redistribution of wealth.

**1977** -- *The Third Try at World Order* is published. Author Harlan Cleveland of the Aspen Institute for Humanistic Studies calls for:

"changing Americans' attitudes and institutions" for "complete disarmament (except for international soldiers)" and "for individual entitlement to food, health and education."

**1977** -- *The Trilateral Connection* appears in the July edition of *Atlantic Monthly*. Written by Jeremiah Novak, it says:

"For the third time in this century, a group of American schools, businessmen, and government officials is planning to fashion a **New World Order...**"

**1979** -- Barry Goldwater, retiring Republican Senator from Arizona, publishes his autobiography *With No Apologies*. He writes:

"In my view The Trilateral Commission represents a skillful, coordinated effort to seize control and consolidate the four centers of power -- political, monetary, intellectual, and ecclesiastical. All this is to be done in the interest of creating a more peaceful, more productive world community. What the Trilateralists truly intend is the creation of a worldwide economic power superior to the political governments of the nation-states involved. They believe the abundant materialism they propose to create will overwhelm existing differences. As managers and creators of the system they will **rule the future.**"

**1984** -- *The Power to Lead* is published. **Author James McGregor Burns admits:**

**"The framers of the U.S. constitution have simply been too shrewd for us. They have outwitted us. They designed separate institutions that cannot be unified by mechanical linkages, frail bridges, tinkering. If we are to 'turn the Founders upside down' -- we must directly confront the constitutional structure they erected."**

**1985** -- Norman Cousins, the honorary chairman of Planetary Citizens for the World We Chose, is quoted in *Human Events*:

"World government is coming, in fact, it is inevitable. No arguments for or against it can change that fact."

Cousins was also president of the World Federalist Association, an affiliate of the World Association for World Federation (WAWF), headquartered in Amsterdam. WAWF is a leading force for world federal government and is accredited by the U.N. as a Non-Governmental Organization.

**1987** -- *The Secret Constitution and the Need for Constitutional Change* is sponsored in part by the Rockefeller Foundation. **Some thoughts of author Arthur S. Miller are:**

**"...a pervasive system of thought control exists in the United States...the citizenry is indoctrinated by employment of the mass media and the system of public education...people are told what to think about...the old order is crumbling... Nationalism should be seen as a dangerous social disease...A new vision is required to plan and manage the future, a global vision that will transcend national boundaries and eliminate the poison of nationalistic solutions...a new Constitution is necessary."**

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**1988** -- Former Under-secretary of State and CFR member George Ball in a January 24 interview in the New York Times says:

"The Cold War should no longer be the kind of obsessive concern that it is. Neither side is going to attack the other deliberately...If we could internationalize by using the U.N. in conjunction with the Soviet Union, because we now no longer have to fear, in most cases, a Soviet veto, then we could begin to transform the shape of the world and might get the U.N. back to doing something useful...Sooner or later we are going to have to face restructuring our institutions so that they are not confined merely to the nation-states. Start first on a regional and ultimately you could move to a world basis."

**December 7, 1988** -- In an address to the U.N., Mikhail Gorbachev calls for mutual consensus:

"World progress is only possible through a search for universal human consensus as we move forward to a **new world order**."

**May 12, 1989** -- President Bush invites the Soviets to join World Order. Speaking to the graduating class at Texas A&M University, Mr. Bush states that the United States is ready to welcome the Soviet Union "back into the world order."

**1989** -- Carl Bernstein's (Woodward and Bernstein of Watergate fame) book *Loyalties: A Son's Memoir* is published. His father and mother had been members of the Communist party. Bernstein's father tells his son about the book:

"You're going to prove [Sen. Joseph] McCarthy was right, because all he was saying is that the system was loaded with Communists. And he was right...I'm worried about the kind of book you're going to write and about cleaning up McCarthy. The problem is that everybody said he was a liar; you're saying he was right...I agree that the Party was a force in the country."

**November 9, 1989** -- The much hated Berlin Wall comes tumbling down, completing the deliberate public 'dissolution' of the U.S.S.R. and of Communism. However, as late as 1999 rare but public instances of food products coming out of Russia are labeled (in Russian) "Product of USSR". (PBS television), suggesting that Mikhail Gorbachev was correct when he informed the Politburo that "much of what you will see is for outward consumption only; so do not be concerned."

**1990** -- The World Federalist Association faults the American press. Writing in their Summer/Fall newsletter, Deputy Director Eric Cox describes world events over the past year or two and declares:

"It's sad but true that the slow-witted American press has not grasped the significance of most of these developments. But most federalists know what is happening...And they are not frightened by the old bug-a-boo of sovereignty."

**April 11, 1990** -- Russian Premier Gorbachev announced Russia would join the New World Order.

**August 2, 1990** -- Iraqi invasion of Kuwait.

**August 17, 1990** -- President Bush [Senior] announces that the Iraqi invasion "shall not stand, **because it threatens the New World Order**".

**September 11, 1990** -- President Bush calls the Gulf War an opportunity for the **New World Order**. In an address to Congress entitled *Toward a New World Order*, Mr. Bush says:

"The crisis in the Persian Gulf offers a rare opportunity to move toward an historic period of cooperation. Out of these troubled times... a **new world order** can emerge in which the nations of the world, east and west, north and south, can prosper and live in harmony.... Today the **new world** is struggling to be born."

**September 25, 1990** -- In an address to the U.N., Soviet Foreign Minister Eduard Shevardnadze describes Iraq's invasion of Kuwait as "an act of terrorism [that] has been perpetrated against the emerging **New World Order**." On December 31, Gorbachev declares that the **New World Order** would be ushered in by the Gulf Crisis.

**October 1, 1990** -- In a U.N. address, President Bush speaks of the:

"...collective strength of the world community expressed by the U.N...an historic movement towards a **new world order**... a new partnership of nations... a time when humankind came into its own... to bring about a revolution of the spirit and the mind and begin a journey into a... new age."

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**1991** -- Author Linda MacRae-Campbell publishes *How to Start a Revolution at Your School in In Context*. She promotes the use of "change agents" as "self-acknowledged revolutionaries" and "co-conspirators."

**1991** -- President Bush praises the **New World Order** in a State of Union Message:

"What is at stake is more than one small country, it is a big idea -- a **new world order**... to achieve the universal aspirations of mankind... based on shared principles and the rule of law...The illumination of **a thousand points of light**...The winds of change are with us now."

**February 6, 1991** -- President Bush tells the Economic Club of New York:

"My vision of a **new world order** foresees a United Nations with a revitalized peacekeeping function."

**June, 1991** -- The Council on Foreign Relations co-sponsors an assembly ***Rethinking America's Security: Beyond Cold War to New World Order*** which is attended by 65 prestigious members of government, labor, academia, the media, military, and the professions from nine countries. Later, several of the conference participants joined some 100 other world leaders for another closed door meeting of the Bilderberg Society in Baden Baden, Germany. The Bilderbergers also exert considerable clout in determining the foreign policies of their respective governments.

**July, 1991** -- The Southeastern World Affairs Institute discusses the **New World Order**. In a program, topics include, ***Legal Structures for a New World Order*** and ***The United Nations: From its Conception to a New World Order***. Participants include a former director of the U.N.'s General Legal Division, and a former Secretary General of International Planned Parenthood.

**Late July, 1991** -- On a Cable News Network program, CFR member and former CIA director Stansfield Turner (Rhodes scholar), when asked about Iraq, responded:

"We have a much bigger objective. We've got to look at the long run here. This is an example -- the situation between the United Nations and Iraq -- where the United Nations is deliberately intruding into the sovereignty of a sovereign nation...Now this is a marvelous precedent (to be used in) all countries of the world..."

**October 29, 1991** -- David Funderburk, former U. S. Ambassador to Romania, tells a North Carolina audience:

"George Bush has been surrounding himself with people who believe in one-world government. They believe that the Soviet system and the American system are converging."

The vehicle to bring this about, said Funderburk, is the United Nations, "the majority of whose 166 member states are socialist, atheist, and anti-American." Funderburk served as ambassador in Bucharest from 1981 to 1985, when he resigned in frustration over U.S. support of the oppressive regime of the late Romanian dictator, Nicolae Ceausescu.

**October 30, 1991:** -- President Gorbachev at the Middle East Peace Talks in Madrid states:

"We are beginning to see practical support. And this is a very significant sign of the movement towards **a new era, a new age**... We see both in our country and elsewhere...ghosts of the old thinking...When we rid ourselves of their presence, we will be better able to move toward a **new world order**... relying on the relevant mechanisms of the United Nations."

Elsewhere, in Alexandria, Virginia, Elena Lenskaya, Counsellor to the Minister of Education of Russia, delivers the keynote address for a program titled, ***Education for a New World Order***.

**1992** -- *The Twilight of Sovereignty* by CFR member (and former Citicorp Chairman) Walter Wriston is published, in which he claims:

"A truly global economy will require ...compromises of national sovereignty... There is no escaping the system."

**1992** -- The United Nations Conference on Environment and Development (UNCED) Earth Summit takes place in Rio de Janeiro this year, headed by Conference Secretary-General Maurice Strong. The main products of this summit are the Biodiversity Treaty and Agenda 21, which the U.S. hesitates to sign because of opposition at home due to the threat to sovereignty and economics. The summit says the first world's wealth must be transferred to the third world.

**May 21, 1992** – Henry Kissinger speaks at the Bilderberger meeting in Evian, France:

"Today Americans would be outraged if U.N. troops entered Los Angeles to restore order; tomorrow they will be grateful. This is especially true if they were told there was an outside threat from beyond, whether real or promulgated, that threatened our very existence. It is then that all peoples of the world will plead with world leaders to deliver them from this evil. The one thing every man fears is the unknown. ***When presented with this scenario, individual rights will be willingly relinquished for the guarantee of their well being granted to them by their world government.***"

**July 20, 1992** -- TIME magazine publishes *The Birth of the Global Nation* by Strobe Talbott, Rhodes Scholar, roommate of Bill Clinton at Oxford University, CFR Director, and Trilateralist, in which he writes:

"All countries are basically social arrangements... No matter how permanent or even sacred they may seem at any one time, in fact they are all artificial and temporary... Perhaps national sovereignty wasn't such a great idea after all... But it has taken the events in our own wondrous and terrible century to clinch the case for world government."

As an editor of Time, Talbott defended Clinton during his presidential campaign. He was appointed by President Clinton as the number two person at the State Department behind Secretary of State Warren Christopher, former Trilateralist and former CFR Vice-Chairman and Director. Talbott was confirmed by about two-thirds of the U.S. Senate despite his statement about the unimportance of national sovereignty.

**September 29, 1992** -- At a town hall meeting in Los Angeles, Trilateralist and former CFR president Winston Lord delivers a speech titled ***Changing Our Ways: America and the New World***, in which he remarks:

"To a certain extent, we are going to have to yield some of our sovereignty, which will be controversial at home... [Under] the North American Free Trade Agreement (NAFTA)... some Americans are going to be hurt as low-wage jobs are taken away."

Lord became an Assistant Secretary of State in the Clinton administration.

**Winter, 1992-93** -- The CFR's *Foreign Affairs* publishes *Empowering the United Nations* by U.N. Secretary General Boutros-Boutros Ghali, who asserts:

"It is undeniable that the centuries-old doctrine of absolute and exclusive sovereignty no longer stands... Underlying the rights of the individual and the rights of peoples is a dimension of universal sovereignty that resides in all humanity... It is a sense that increasingly finds expression in the gradual expansion of international law... In this setting the significance of the United Nations should be evident and accepted."

**December 31, 1992** -- Formation of Western Europe as the first nation to be formed in the global 10-Nation Reorganization Plan. Later known as the "European Union", and expands to 14 nations.

**April 19, 1993** – FBI and other federal agents initiate the Waco massacre, after a 51-day standoff. It coincides with Patriots Day, the anniversary of the beginning of the American Revolution. The date also commemorates the 50th anniversary of the Warsaw ghetto uprising, when a handful of armed Jews held off an entire Wehrmacht regiment. **U.S. Prosecutor Richard Haynes would comment on TV's 'Nightline', June 2, 1997;**

***"...The United States Government did in fact execute the Branch Davidians in Waco..."***

**July 18, 1993** -- CFR member and Trilateralist Henry Kissinger writes in the Los Angeles Times concerning NAFTA:

"What Congress will have before it is not a conventional trade agreement but the architecture of a new international system... a first step toward a **new world order.**"

**August 23, 1993** -- Christopher Hitchens, Socialist friend of Bill Clinton when he was at Oxford University, says in a C-Span interview:

"...it is, of course the case that there is a ruling class in this country, and that it has allies internationally."

**October 30, 1993** -- Washington Post ombudsman Richard Harwood does an op-ed piece about the role of the CFR's media members:

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"Their membership is an acknowledgment of their ascension into the American ruling class [where] they do not merely analyze and interpret foreign policy for the United States; they help make it."

**January/February, 1994** -- The CFR's *Foreign Affairs* prints an opening article by CFR Senior Fellow Michael Clough in which he writes that the "Wise Men" (e.g. Paul Nitze, Dean Acheson, George Kennan, and John J. McCloy) have:

"assiduously guarded it [American foreign policy] for the past 50 years...They ascended to power during World War II...This was as it should be. National security and the national interest, they argued must transcend the special interests and passions of the people who make up America... How was this small band of Atlantic-minded internationalists able to triumph?... Eastern internationalists were able to shape and staff the burgeoning foreign policy institutions... As long as the Cold War endured and nuclear Armageddon seemed only a missile away, the public was willing to tolerate such an undemocratic foreign policy making system."

**June 26, 1994** -- U.S. Attorney General Janet Reno makes the following statement on the TV show, '60 Minutes', regarding the Branch Davidian massacre about 1 year previous:

"A cultist is anyone who...Has a strong belief in the Bible and the second coming of Christ; who frequently attends Bible studies; who has a high level of giving to Christian causes; who home schools their children; who have accumulated survival foods and have a strong belief in the 2nd amendment; and distrusts big government. Any one of these may qualify a person as a cultist and is cause for concern, but certainly more than one of these would cause us to look at this person as a threat and his family as being in a risk situation that would require government intervention."

60 minutes subsequently destroyed their master copies of the interview and denied its' existence.

**1995** -- The *State of the World Forum* took place in the fall of this year, sponsored by the Gorbachev Foundation located at the Presidio in San Francisco. Foundation President Jim Garrison chairs the meeting of who's-who from around the world including Margaret Thatcher, Maurice Strong, George Bush, Mikhail Gorbachev and others. Conversation centers around the oneness of mankind and the coming global government. However, the term "global governance" is now used in place of "**new world order**" since the latter has become a political liability, being a lightning rod for opponents of global government.

**April 19, 1995** -- Oklahoma City bombing of the Federal Murrah Building. Investigative journalist Jayna Davis uncovers federal government prior knowledge and becomes a target of the ensuing cover-up. The FBI facilitates the emigration of Andreas Strassmeir, a key participant, to Germany.

**1996** -- The United Nations 420-page report *Our Global Neighborhood* is published. It outlines a plan for "global governance," calling for an international Conference on Global Governance in 1998 for the purpose of submitting to the world the necessary treaties and agreements for ratification by the year 2000.

**December 31, 1999** -- Washington Monument sprays colored light into the black night sky, symbolizing the 'impregnation' of the **New World Order**.

**September 10, 2000** -- The conclusion of a 13-day summit -- August 28 - September 10, 2000 -- which officially gave birth to the New World Order, which was 'conceived' 9 months earlier at the Washington Obelisk in DC.

**September 11, 2001** -- Eleven years to the day after President Bush [Senior] delivers his speech to Congress entitled **Toward a New World Order**, and 1 year and 1 day after the official birth of the New World Order, "terrorists" attack and destroy the World Trade Center and severely damage the Pentagon.

**September 12, 2001** -- "There is a chance for the President of the United States to use this disaster to carry out what his father - a phrase his father used I think only once, and it hasn't been used since - and that is a new world order." - Senator Gary Hart, Council on Foreign Relations meeting.

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**September 13, 2001** -- Deputy Defense Secretary Paul Wolfowitz says the retaliation [re: Sept 11] would be continued until the roots of terrorism are destroyed. "These people try to hide. They won't be able to hide forever ... They think their harbors are safe, but they won't be safe forever ... it's not simply a matter of capturing people and holding them accountable, but removing the sanctuaries, removing the support systems, ending states who sponsor terrorism."

**October 11, 2001** -- Tom Brokaw (popular US news anchor) announces the world now has formed into the **New World Order**.

**October 26, 2001** -- President Bush signs legislation into law that gives Federal Government dictatorial powers and severely -- if not fatally -- erodes individual liberties and rights.

**January 29, 2002** -- Bush, in his State of the Union Address, lists Iraq, Iran and North Korea as constituting an 'axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger'.

**September 12, 2002** -- Bush tells UN that Iraq is a "grave and gathering danger" and that the US "will not allow any terrorist or tyrant to threaten civilization with weapons of mass murder".

**November 22, 2002** -- Secretary of Homeland Security, Tom Ridge tells Jay Leno on 'The Tonight Show': "The best homeland security is the kind where we get the enemy before he gets us..."

Leno: "So how long will this 'war on terrorism' last?" Ridge: "***It is permanent...***"

**March 17, 2003** -- At 8:15pm, EST, President Bush announces a 48-hour ultimatum to Saddam Hussein to leave the country with his sons, or suffer the invasion.

**March 20, 2003** -- US starts invasion of Iraq, exactly 555 days after September 11, 2001.

**November 21, 2003** -- General Tommy Franks predicts America's future in the 'war on terrorism' ("Tommy Franks: Martial Law Will Replace Constitution After Next Terror Attack", Newsmax.com):

"A... massive, casualty-producing event somewhere -- it may be in the United States of America -- that causes our population to question our own Constitution and to begin to militarize our country in order to avoid a repeat of another mass, casualty-producing event. Which in fact, then begins to unravel the fabric of our Constitution. Two steps, very, very important."

**September 2, 2005** -- In the wake of Hurricane Katrina, federal troops commence 'combat operations' in New Orleans with the goal of confiscating law-abiding citizens' firearms, according to Brig. Gen. Gary Jones.

**September 8, 2005** -- In New Orleans, combat units partnered with police are filmed dragging an elderly lady out of her home, disarming her, and then leaving her unprotected. Neighborhoods with ad-hoc citizen militias are avoided by these troops. One soldier expresses his concerns that he may be ordered to shoot and kill Americans who refuse to be disarmed.

## **THE MARXIST TAKEOVER OF AMERICA**

Presented is a list of 45 goals that found their way down the halls of our great Capitol back in 1963. As you read this more than 40 years later, you should be shocked by the events that have played themselves out.

Congressional Record--Appendix, pp. A34-A35 January 10, 1963

Current Communist Goals

EXTENSION OF REMARKS OF HON. A. S. HERLONG, JR. OF FLORIDA IN THE HOUSE OF REPRESENTATIVES

Thursday, January 10, 1963

Mr. HERLONG. Mr. Speaker, Mrs. Patricia Nordman of De Land, Fla., is an ardent and articulate opponent of communism, and until recently published the De Land Courier, which she dedicated to the purpose of alerting the public to the dangers of communism in America.

At Mrs. Nordman's request, I include in the RECORD, under unanimous consent, the following "Current Communist Goals," which she identifies as an excerpt from "The Naked Communist," by W. Cleon Skousen:

[From "The Naked Communist," by W. Cleon Skousen]

1. U.S. acceptance of coexistence as the only alternative to atomic war.
2. U.S. willingness to capitulate in preference to engaging in atomic war.
3. Develop the illusion that total disarmament [by] the United States would be a demonstration of moral strength.
4. Permit free trade between all nations regardless of Communist affiliation and regardless of whether or not items could be used for war.
5. Extension of long-term loans to Russia and Soviet satellites.
6. Provide American aid to all nations regardless of Communist domination.
7. Grant recognition of Red China. Admission of Red China to the U.N.
8. Set up East and West Germany as separate states in spite of Khrushchev's promise in 1955 to settle the German question by free elections under supervision of the U.N.
9. Prolong the conferences to ban atomic tests because the United States has agreed to suspend tests as long as negotiations are in progress.
10. Allow all Soviet satellites individual representation in the U.N.
11. Promote the U.N. as the only hope for mankind. If its charter is rewritten, demand that it be set up as a one-world government with its own independent armed forces. (Some Communist leaders believe the world can be taken over as easily by the U.N. as by Moscow. Sometimes these two centers compete with each other as they are now doing in the Congo.)
12. Resist any attempt to outlaw the Communist Party.
13. Do away with all loyalty oaths.
14. Continue giving Russia access to the U.S. Patent Office.
15. Capture one or both of the political parties in the United States.
16. Use technical decisions of the courts to weaken basic American institutions by claiming their activities violate civil rights.
17. Get control of the schools. Use them as transmission belts for socialism and current Communist propaganda. Soften the curriculum. Get control of teachers' associations. Put the party line in textbooks.
18. Gain control of all student newspapers.
19. Use student riots to foment public protests against programs or organizations that are under Communist attack.
20. Infiltrate the press. Get control of book-review assignments, editorial writing, policy-making positions.
21. Gain control of key positions in radio, TV, and motion pictures.
22. Continue discrediting American culture by degrading all forms of artistic expression. An American Communist cell was told to "eliminate all good sculpture from parks and buildings, substitute shapeless, awkward and meaningless forms."
23. Control art critics and directors of art museums. "Our plan is to promote ugliness, repulsive, meaningless art."
24. Eliminate all laws governing obscenity by calling them "censorship" and a violation of free speech and free press.
25. Break down cultural standards of morality by promoting pornography and obscenity in books, magazines, motion pictures, radio, and TV.

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26. Present homosexuality, degeneracy and promiscuity as "normal, natural, healthy."
  27. Infiltrate the churches and replace revealed religion with "social" religion. Discredit the Bible and emphasize the need for intellectual maturity, which does not need a "religious crutch."
  28. Eliminate prayer or any phase of religious expression in the schools on the ground that it violates the principle of "separation of church and state."
  29. Discredit the American Constitution by calling it inadequate, old-fashioned, out of step with modern needs, a hindrance to cooperation between nations on a worldwide basis.
  30. Discredit the American Founding Fathers. Present them as selfish aristocrats who had no concern for the "common man."
  31. Belittle all forms of American culture and discourage the teaching of American history on the ground that it was only a minor part of the "big picture." Give more emphasis to Russian history since the Communists took over.
  32. Support any socialist movement to give centralized control over any part of the culture-education, social agencies, welfare programs, mental health clinics, etc.
  33. Eliminate all laws or procedures that interfere with the operation of the Communist apparatus.
  34. Eliminate the House Committee on Un-American Activities.
  35. Discredit and eventually dismantle the FBI.
  36. Infiltrate and gain control of more unions.
  37. Infiltrate and gain control of big business.
  38. Transfer some of the powers of arrest from the police to social agencies. Treat all behavioral problems as psychiatric disorders that no one but psychiatrists can understand [or treat].
  39. Dominate the psychiatric profession and use mental health laws as a means of gaining coercive control over those who oppose Communist goals.
  40. Discredit the family as an institution. Encourage promiscuity and easy divorce.
  41. Emphasize the need to raise children away from the negative influence of parents. Attribute prejudices, mental blocks and retarding of children to suppressive influence of parents.
  42. Create the impression that violence and insurrection are legitimate aspects of the American tradition; that students and special-interest groups should rise up and use [""]united force[""] to solve economic, political or social problems.
  43. Overthrow all colonial governments before native populations are ready for self-government.
  44. Internationalize the Panama Canal.
  45. Repeal the Connally reservation so the United States cannot prevent the World Court from seizing jurisdiction [over domestic problems. Give the World Court jurisdiction] over nations and individuals alike.

The quandary of the 20th century has been the Scylla & Charybdis of national socialism (Nazism, fascism) and international socialism. Of course, this is a false choice, but one that is not made apparent to the masses. In the 21st century, international socialism has become the universally accepted path of statism with its' "velvet glove on the iron fist" approach. The challenge for Liberty will be to expose to concerned citizens the manner in which our nation was betrayed into the hands of the internationalists.

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**A DRAFT DECLARATION OF GRIEVANCES BY THE 3<sup>RD</sup> CONTINENTAL CONGRESS**

Two hundred years ago, our ancestors signed a document that forever changed the course of history: the Declaration of Independence. It severed the bonds of Colonial America to a tyrannical king and parliament in England, and established for the first time a society based on the principle of the rule of law and limited government. The result was a nation that achieved the greatest of achievements, the highest standards of living, and the greatest levels of individual freedom in human history. But the principles that made this country great have gradually been forgotten - to the point where an out-of-control government is now implementing a police state system that will totally destroy our liberty and the remainder of our dwindling prosperity.

We continue to hold these truths to be self-evident: that all people are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. To secure these rights, we instituted a government that was to derive its just powers only by the consent of the governed.

Our forefathers acknowledged that whenever government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and establish a new government; laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Liberty, safety and happiness.

Listed here are some grievances that, if our forefathers were around today, would include in a new Declaration of Independence. It is probable that like then, they would resort to force of arms today to right an insufferable evil; an evil that we have not yet vanquished for sheer lack of courage!

We have acknowledged that governments long established should not be changed for light and transient causes. Accordingly, our experience has been to endure a far greater degree of oppression than what is morally acceptable, instead of setting ourselves aright by abolishing that to which we have become accustomed...

Let's look at the grievances that a new generation of patriots have claimed:

*Our Federal Government, and quisling state governments, have deprived the people of the security of our Lives, Liberty and Property; replacing it with terror. Citizens of the 50 states have been murdered, unjustly imprisoned, and tortured by agents of the government under the color of law, and with the protection of 'sovereign immunity' under the government.*

*They have imposed upon us, without our consent, multitudes of laws, taxes, and regulations that are most unnecessary and unwholesome for the public good, serving the venal interests of multinational corporations and international bankers, rather than in the honest representation of the people. These laws and regulations are multiplied beyond all reason or humanity, deliberately subverting both the words and intent of our Constitution and Bill of Rights to the point where there is not a single American who could not be arrested, imprisoned and impoverished for violating one of the millions of arbitrary and incomprehensible regulations, laws, and edicts now in force.*

*They have "erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat our their Substance." The IRS, Justice Department, State and local revenue authorities and a multitude of other government agencies have engaged in an escalating orgy of legalized looting and wholesale seizure of private property to feed the appetite of arrogant and rapacious bureaucracies. The supreme Court has given these bureaucracies, as well as quisling state and local governments, its official blessing to seize the property of anyone - for any pretext, and without full market value of said property.*

*They have instituted oppressive and destructive taxes without our consent; stolen more than half of our incomes year after year; and compelled us to testify against ourselves by*

*filling out endless compulsory reports. They have also pressed business owners into unpaid service as government spies and tax collectors; destroyed our peace, security & freedom in order to finance their oppressive bureaucracies, failed social programs, and wars of aggression. This was accomplished by fraudulently claiming the consent of the people, and by substituting our incomes for tariffs and customs, as the source of the Treasury, obtained an unlimited power of the purse in order to control the people and further their other designs.*

*They have destroyed our financial security: They have debauched the currency, substituting worthless paper for gold and silver. They have clandestinely abdicated our banking system to a private cartel; inflating currency and credit and looting the real wealth of the people. They have centralized control of our economy into their hands and have dictated every aspect of how our businesses must be operated. They have issued edict upon edict, issued regulation on top of regulation, instituted fine after fine, treated us as if we were common criminals, seized our property, and destroyed our ability to make an honest living for ourselves and our families;*

*They have destroyed our jobs by systematically dropping all trade barriers with foreign nations, creating a system of labor arbitrage with poorer nations with whom Americans cannot compete; and by flooding our markets with foreign foods and consumer goods that unfairly undercut domestic producers.*

*They have burdened us with waste, corruption, and incomprehensibly massive government debt, which has brought our nation to bankruptcy at least once; and to prevent future bankruptcy they mortgaged the lives, liberty, and property of this and every future generation of Americans. They have destroyed jobs and stifled private initiative with suffocating regulations and oppressive bureaucracies.*

*They have subverted the electoral process through unjust and exclusionary ballot access and campaign finance laws. Vast sums of tax-extorted funds have been used to create a Congressional Monopoly and an Imperial Presidency which have crushed dissent and excluded any serious challenge to their power.*

*They have disparaged the will of the people upon the electoral process by diluting our representation through uncontrolled illegal immigration, and then rewarding these illegal immigrants with opportunities to vote. Then they heap additional insult and injury upon us by allowing these non-citizens to obtain welfare benefits from the tax-extorted wages of American citizens.*

*They have deprived us of representation by pandering to the interests of the obscenely wealthy and to multinational corporations; through bribery, graft, influence-peddling, and ignoring conflicts of interest.*

*They have hobbled and corrupted our system of justice by creating endless numbers of technical crimes against the State, and crimes without victims - making vices into crimes, dissent into treason, and sensuality into perversion. They have seized billions of dollars worth of property without due process of law, imprisoned countless thousands without indictment or trial, and have made equal justice under law impossible by manipulating courts and juries, terrorizing our attorneys and seizing their fees. They have made a complete mockery of our justice system by reversing jury decisions by fiat, and imprisoning jurors for resisting illegal judicial orders.*

*They have kept among us, in times of peace, Standing Armies of military and police. In direct violation of the Constitution, US troops have repeatedly invaded and reduced foreign countries to ruin without declaration of war by Congress. They have used force to compel our children to fight and die in foreign wars far removed from their homes. In the name of various crises, such as a "War on Drugs", a "War on Crime", and even perversely, "a War*

*on Terrorism" they have engaged in open war upon the people of the United States, invading farm and field, village and home, and spreading terror across the land.*

*They have used both uniformed and covert operatives to commit crimes against humanity, including but not limited to: police snipers murdering unarmed adults, women and children; police & military troops assaulting churches with massive firepower, even to the point of using combat vehicles and tanks; laying siege to families, congregations, and communities - then murdering them wholesale; and the mass murder of hundreds and thousands of Americans in putative terrorist attacks, that are in fact ordered by the highest officeholders in government.*

*They have created and combined agencies for the express and specific purpose of engaging in espionage against the citizens of this nation, and have encouraged commercial interests to engage in similar acts of espionage for their own profit.*

*They have abolished our covenants and subverted our form of government, replacing it with a form that is alien to us and entirely contrary to the form required by our Constitution, from the national and state levels all the way down to the lowliest local magistrate;*

*For declaring themselves invested with the unlimited and general power to legislate for us in all cases whatsoever, whether it be in the halls of Congress or from the court bench.*

*They have subverted our educational, social, religious, commercial, and other institutions, for the purpose of re-educating the population with beliefs, values, behavior, and conduct that is perverse and contrary to the well-being of a free republic.*

*They have perverted our relations with other nations, using their power to support foreign tyrants. They have bribed other nations with foreign aid, restricted foreign trade, and exported massive quantities of weapons of death and destruction - fomenting discord, repression and war throughout the world. They have used the extorted tax money of Americans to implement a design for global government, to promote and support communist governments throughout the world, and bail out financial institutions that engage in the same practices.*

*They have combined with foreign nations to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving their assent to acts of pretended legislation under a framework for a global government.*

*They have abolished our just and proper laws by substituting them with unconstitutional and fraudulent treaties, submerging our laws under the laws, regulations & conventions of supranational organizations.*

*They have combined with organizations whose goals are the epitome of treason; whose stated goals are to betray the American people into the hands of a global government. They maintain membership in organizations such as the 'Club of Rome', 'Council on Foreign Relations', 'Trilateral Commission', 'Bilderbergers', and the 'United Nations Association of America'. Outside of government service, members of these organizations maintain control over commercial and nonprofit corporations by means of interlocking directorates, and through funding provided by foundations and banking institutions controlled by others who are similarly affiliated.*

*In the name of "peacekeeping" and assisting other nations, they have illegally waged war on many nations and innocent peoples, committing democide in the name of peace, committing war crimes, engaging in other crimes against humanity abroad, making the United States of America the most hated nation in the world.*

*They have encouraged Islamic terrorists to attack us, whose known rule of warfare is the indiscriminate murder of all ages, sexes and conditions. They also excite the domestic insurrectionists amongst us, for the pretext of further depriving us of our Liberties and freedoms.*

*The government of the United States of America has so abrogated its sacred covenants to the people of this nation that our own government is commonly recognized as the greatest menace to peace, freedom, and prosperity, both here and throughout the world.*

*In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petitions have been answered either by repeated injury, or not at all. Any government, whose every act so markedly imitates the character of a tyrant, is unfit to govern a free people. Our government has failed to answer our petitions for redress because they do not intend to redress our injuries.*

*We, the people, have lost all control of our societal institutions to this criminal, terrorist combine and that government has ceased to be our servant, and has become instead a terrible and tyrannical master. To restore the freedom, peace and prosperity of the people, we have demanded:*

*That the protections of individual rights enumerated in the Bill of Rights be strictly enforced. That all laws and court decisions restricting freedom of speech, press, religion, assembly and enterprise; the right to keep and bear arms and the right to own and dispose of property be justly recognized as Null and Void, and thereby stricken from the law books.*

*That Citizen Grand Juries not under the control of government-appointed judges or prosecutors be convened in each State with the power to indict government officials and employees who violate the rights of any citizen, and that all officials and employees so indicted be promptly brought to trial.*

*That a "Citizen Veto" be created at federal, state and local levels, whereby all citizens can veto any new legislation - including revenue acts. Also, that the establishment of a national Citizen Power of Recall so that unscrupulous politicians may be removed from power by popular initiative.*

*That the Income Tax and the IRS be forever abolished and that all persons jailed for tax evasion be freed.*

*That sufficient government property be sold to retire the national debt.*

*That all government agencies which are not clearly engaged in the protection of life, liberty and property of the individual be disbanded.*

*That the Federal Reserve, FDIC, FSLIC and currency laws be abolished, and that banking and insurance systems be left to the private sector in order to restore security to our economy.*

*That all laws creating government monopolies in education, medicine, utilities, mail delivery and all other public services be abolished.*

*That State and Economy be separated, and that federal control of interstate commerce be confined to prohibition of tariffs and trade restrictions between States. That freedom of association be restored to enterprise, including freedom to hire, fire, contract and negotiate; that all capitalist acts between consenting adults be legalized.*

*That foreign trade agreements be abolished, such as NAFTA, GATT & WTO; and the restoration of constitutional tariffs, import duties, and customs laws.*

*That all federal laws restricting gun ownership be abolished, and that a trained, well-armed citizenry be encouraged, as a defense against domestic criminals, foreign aggression and domestic tyranny.*

*That due process of law and the presumption of innocence be restored.*

*That RICO statutes, and other laws enabling the government to confiscate property without the owners being convicted of any crime, be abolished. That the Seventh Amendment to the Constitution, preserving the right to trial by jury in civil disputes be strengthened to include disputes between Citizens and the State.*

*That all Civil Forfeiture laws, and other laws holding "property" hostage for crimes, shall be immediately and completely abolished, and that henceforth no citizen shall be deprived of any property (except as punishment for a real crime against persons or property) of which they have been convicted.*

*That all jury members be explicitly informed of their right to judge the law as well as the facts in every court case, and to acquit if they find the law improper or unjust.*

*That 'Sovereign Immunity', which makes government officers and agents immune from prosecution for their crimes, be abolished, and that presumption in trials in favor of government officials, police officers and other agents of the State be ended.*

*That government officials and agents, and citizens be treated as equal before the law in all cases, both criminal and civil.*

*That all victimless crime laws be abolished, and all persons imprisoned for victimless offenses be immediately freed and their records cleared.*

*That the federal government be enjoined from all police functions, and that State and local police executives be elected in the same manner as county sheriffs, so that they may be held directly accountable to the people.*

*That the function of the military be confined to defense of the territory of the United States, and that all US troops be removed from foreign countries. That henceforth, the sole purpose of the military shall be protection of the lives and property of US citizens at home.*

*That the United States withdraw from membership in the United Nations and that the United Nations be asked to relocate its headquarters outside the United States.*

*That all American members of Bilderbergers, Council on Foreign Relations, Trilateral Commission, and other globalist combinations be arrested, indicted, and tried for Treason.*

*That henceforth all executives, legislators or judges who violate their oaths to uphold and defend the Constitution and Bill of Rights be removed from office and tried for treason.*

*That all blatantly unconstitutional laws such as the Patriot Acts, be recognized as Null and Void, and stricken from the law books; and that every elected official responsible for these abominations being enacted be removed from office.*

*Nor have we been wanting in attention to our Congressional representatives. We have warned them from repeatedly from their attempts to extend an unwarrantable jurisdiction over us. We have reminded them of their specific powers delineated in the 1789 Constitution, and that all powers not specifically granted are prohibited to them under the 10th Amendment. We have appealed to their native senses of justice, duty, patriotism, and morality, but to no avail. We have likewise availed ourselves of correspondences with the President and petitions before the Courts, only to find they too are deaf to our pleas for Constitutional obedience.*

*In having War waged upon us by all branches of the federal government, their state-level quisling subsidiaries, various and sundry petty tyrants of unconstitutional regulatory agencies, and the agents and thugs of the multitudinous, unconstitutional standing armies, our forbearance has reached its limits.*

To be sure, these are grave charges. Yet it is also true that we live in grave times when the threats to our Liberty are manifold and mostly domestic in their genesis. The challenge of this and subsequent generations will be to restore and maintain the degree of individual liberty envisaged by men like Thomas Jefferson.

## **Chapter 6 – RESPONSIBILITIES OF CITIZENS**

### **INTRODUCTION**

Most Americans today could not list even partially the responsibilities of citizens. Does this strike you as a possible reason why this nation has fallen into civic decay? If you agree with this idea, you would be correct. Without an understanding of our civic responsibilities (duties), we have no foundation for self-government.

Another difference between our particular Republic and all other forms of government is the fact that here, civic duty is voluntary. No one will force you to be a citizen and shoulder the burden. Everywhere else, it is a mandatory obligation. That is why some patriots like to say; “America - love it or leave it”. Anyone who cannot tolerate our form of government is free to renounce their citizenship and leave the country.

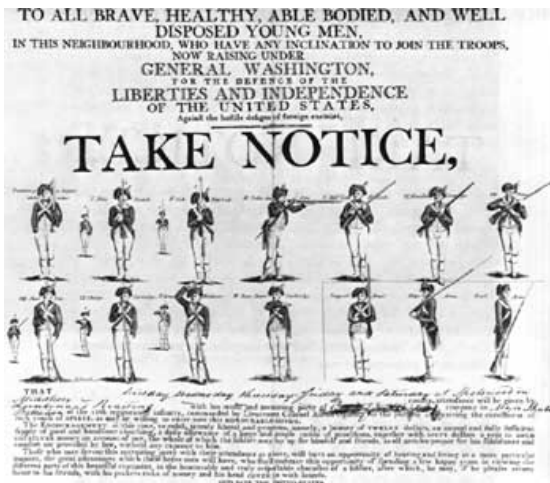
### **RIGHTS AND RESPONSIBILITIES INTERCHANGEABLE**

In our Republic, many responsibilities also happen to be Rights that the peoples of other nations can only dream of. Whether it be voting, jury duty, or militia service; we can (and do) take these for granted, but we do so at our own peril. When we fail to vote in an election, we abdicate our Right to self-government and leave the business of running our communities, states and nation in the hands of people elected by *others*.

When we avoid jury duty for the sake of protecting ourselves from financial burden, we undermine the security of having impartial and fair courts. Although not all jurors selected today fit the mold, many jurors who decide the fate of the accused have an abject ignorance of both the law, our history, and Constitution; because they lack an adequate education. Those who lack this education are typically not burdened by the minimal financial compensations that come with jury duty. The end result is a jury pool that is less than fully informed [ref: <http://www.fija.org>] and easily manipulated by highly-paid defense attorneys, or worse, unscrupulous prosecutors.

Although nobody enjoys paying taxes, it is also a necessary part of maintaining a government dedicated to the protection of individual liberties. The patriot movement, and the militia in particular, do not advocate the gross evasion of taxes. When people evade taxes, this usually results in the taxing power being non-voluntary, as it is today. Of course, another salient point is what sort of tax is being levied and whether it is Constitutional or not. Although it is not the purpose of this manual to discuss the nature or the arguments involving tax issues, it would be reasonable for any American to assert that it is a responsibility to pay legitimate taxes, a Right to avoid unconstitutional taxes, and a duty to withhold taxes in escrow as a peaceful method of remonstrating against unconstitutional spending or unethical/unlawful government activity.

Although it is largely applied as a voluntary activity, militia service can in fact become mandatory when the nation is under attack. This is provided for under our



Constitution, as the militia is composed of **all** citizens between the age of 17 and 57 who are not disabled and not conscientiously opposed to the bearing of arms. It has also been suggested that basic militia training be mandatory upon reaching voting age, and a minimal term of active service (two years) accompany the successful completion of the basic training. This concept is part of the Swiss militia system, which was based on the early American militia system. Consequently, Switzerland has virtually the lowest crime rate in the world and one of the highest rates of citizen participation in the democratic processes of government.

But serving in the militia is certainly a Right, as is the ability to own and carry firearms. Whether it is for self-defense, defense of one's nation, or the removal of tyranny, firearm ownership is the rarest of Rights because it insures the protection of all other rights. *"The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government."* – Thomas Jefferson

### JURY DUTY

We should ask ourselves why the Framers of the Constitution thought trial by jury was essential to preserving freedom. Although trial by jury is a fundamental American right, most people have never made an effort to understand why that right was written into our Constitution -- and why this trial procedure is so rarely found in other countries.

The jury was an essential safeguard of liberty long before the American Revolution. British courts guaranteed the independence of criminal trial juries in 1670, in a case concerning four jurors who had acquitted William Penn for illegally preaching about his Quaker beliefs. Those jurors were imprisoned for their "not guilty" verdict because they had ignored the trial judge's instructions to vote for Penn's conviction. An English appellate court released the jurors from prison, establishing the principle that juries cannot be punished for bringing in the "wrong" verdict. The freedom of American jurors to vote according to conscience can be traced to that landmark precedent.

Early American jurors frequently refused to enforce the acts of Parliament in order to protect the rights of individuals. In 1735 a New York jury acquitted John Peter Zenger of seditious libel for publishing criticisms of a colonial governor, believing that Zenger had a right to print the truth. That jury had to ignore the instructions of the trial judge because it had been instructed that truth was no defense to the charge of seditious libel. We can thank independent juries for helping to establish freedom of the press on American soil.

Jurors in early America knew that if a law was unjust, they could (and should) refuse to enforce it. As free citizens they were expected to vote their conscience. Thomas Jefferson wrote, "I consider trial by jury as the only anchor ever yet imagined by man, by

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which a government can be held to the principles of its constitution." John Adams said, "It is not only [the juror's] right, but his duty . . . to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court."

Non-cooperation with injustice was a moral imperative that had led, in part, to the American Revolution. Jurors in early 19th-century America routinely refused to enforce the Alien and Sedition Act, just as jurors in mid-19th-century America widely rejected the Fugitive Slave Act and juries in early 20th-century America refused to enforce Prohibition. But toward the end of the 19th century, as the jury pool widened to include working-class men, blacks, and women, courts began to restrict the role of juries. That coincided with a change in attitudes about government in general. The idea emerged that juries had been an important check against King George III, but that their role must now adapt in light of our democratic law-making procedures. Our "all-wise government" could not allow citizen juries to retain a veto over laws that were enacted for the "public good."

In 1895 the Supreme Court held that trial courts were not required to inform jurors of their power to refuse to convict, or to convict on lesser charges, if they believed a conviction on the facts proven at trial would be unjust. In the years since, American courts have misinterpreted that ruling as a blanket prohibition on informing jurors of their discretionary prerogative to "check" unjust laws.

The result has been that juries have been restrained from exercising their veto. Today, jurors sometimes leave courtrooms in tears after convicting people they believed were morally (if not legally) innocent -- or after witnessing the harsh sentences handed down by judges at the sentencing phase of seemingly minor cases. That is exactly the sort of travesty trial by jury was intended to prevent. If the law were just and justly applied, jurors would have no reason to regret their verdicts, or the sentences that are meted out later by judges.

The purpose of trial by jury, as the Supreme Court itself has noted, is to prevent "oppression by the government." To perform that role, jurors must act independently and conscientiously, and they must be prepared to "just say no" if they believe that a conviction would be unjust. Nothing else satisfies the purpose of trial by jury, or provides the protection to liberty that the Founders intended.

## **OTHER RIGHTS**

While some specific examples were referenced first, this does not mean that all of them necessarily hold precedence over other Rights. The Constitution itself does not enumerate more than a few Rights, and the ones not enumerated bear mentioning here.

The Right to privacy, although not explicitly mentioned in the 3<sup>rd</sup> Amendment, was intended by the founders and also inferred in the 4<sup>th</sup> Amendment. When the government can remotely monitor your routine activities, that is no different than having a "lobsterback" living in your home. The ability to 'scan' the interior of a home with advanced technology; snoop through people's communications (whether they be handwritten or digital); tap phones; track your movement by tagging someone's cellular phone or GPS device in a car; all represents the sort of abuses that our Founders intended to prevent. Therefore,

one could consider it a non-enumerated Right. A citizen's responsibility in matters of privacy would be to respect the privacy of others except where an overt crime is committed, or in cases of journalistic, ecclesiastical, academic, medical or other professional confidentiality.

Other Rights not enumerated include the Right to travel. Freedom of movement is the essence of Liberty. If one cannot leave their home state without permit, that is fundamentally no different than being restricted to one's community or from being under 'house arrest'. The only difference is the degree to which one is restricted. While driver licenses tend to represent one form of infringement on the right to travel, the more egregious example is found in background checks for common-carrier passengers. Anyone who is not 'approved' is subject to delay or detainment for attempting to travel. You should not have to "show your papers" to anyone.

Other non-enumerated Rights include the freedom to associate: everyone has the Right to choose with whomever they wish to keep company. Whether one wishes to hang out with hippies, environmentalists, church-hoppers, NASCAR fans, or citizen militias; this ought to be no concern of the government save for conspiracies to commit certain crimes. We also are entitled to access to the courts to obtain Justice; the right to contract, the right not to be compelled to unrevealed commercial agreements; and the means to provide for one's own welfare, education and medication.

## **OUR RESPONSIBILITY TO THE CONSTITUTION**

American citizens bear equally the responsibility of maintaining vigilance against tyranny in government, corruption in commerce, fraud in banking, and dishonesty in academia and media. Without vigilance, apathy will set in and the same abuses present in today's society will necessarily return again and again for as many times as this nation is able to endure the cycle of Liberty to Bondage to Liberty (see Chapter 5).

Yet, in order for vigilance to avail us, we must be well educated in common sense and possess the requisite historical knowledge, economic competence, and civic virtue to successfully guard against abuse and fraud. One must also be willing to impart knowledge and understanding to future generations. Knowledge of the Constitution is essential to this process, yet this is where we have failed.

"A good constitution is the greatest blessing which a society can enjoy." So said James Wilson, in his oration at Philadelphia on July 4, 1788, celebrating the adoption of the Constitution of the United States. Wilson, who signed both the Declaration of Independence and the Constitution, preached startlingly democratic theories - more democratic than the ideas of any other delegate to the Constitutional Convention.

Yet Wilson emphasized the duties, as well as the rights, of citizens:

***"Need I infer, that it is the duty of every citizen to use his best and most unremitting endeavours for preserving it [the Constitution] pure, healthful, and vigorous? For the accomplishment of this great purpose, the exertions of no one citizen are unimportant. Let no one, therefore harbour, for a moment, the mean idea, that he is and can be of no value to his country: let the contrary manly impression animate his soul. Every one can, at many times, perform, to the state, useful services; and he,***

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***who steadily pursues the road of patriotism, has the most inviting prospect of being able, at some times, to perform eminent ones."***

Wilson's argument is quite as sound now as it was two centuries ago, and the success of the American Republic as a political structure has been the consequence, in very large part, of the voluntary participation of citizens in public affairs - enlisting in the army in time of war; serving on school boards; taking part unpaid in political campaigns; petitioning legislatures; supporting the President in an hour of crisis; and in a hundred other great ways, or small-assuming responsibility for the common good. The Constitution has functioned well, most of the time, because conscientious men and women have given it flesh.

### The Premises of Americans' Responsibility Under the Constitution of 1787

The Framers' first assumption was that all just authority for government comes from the people, under God; not from a monarch or a governing class, but from the innumerable citizens who make up the public. The people delegate to government only so much power as they think it prudent for government to exercise. Government is the people's creation, not their master. Thus, if the people are sovereign, it is the citizens' responsibility to take upon their shoulders the task of seeing that order, justice and freedom are maintained.

The Framers' second assumption was that American citizens would undertake responsibility for the ordinary functioning of civic order and that local communities would manage their own affairs. Under their system, the roles of the various levels of government would be minimal and would not intrude unnecessarily into the day-to-day lives of the citizens. In matters of public concern, it was the original intent to keep authority as close to home as possible.

In the matters that most immediately affect private life, power should remain in the hands of the citizens, or of the several states - not in the possession of federal government. So, at least, the Constitution declares. Americans should not have official cards of identity, or internal passports, or system of national registration of all citizens - obligations imposed upon people in much of the rest of the world. This freedom results from Americans' voluntary assumption of civic responsibility.

### **THE RENEWAL OF RESPONSIBILITY AND CIVIC VIRTUE**

What may be done by way of remedy? Although America's social difficulties are formidable, probably they are less daunting than those of any other great nation today. The economic resources of the United States remain impressive; and likewise are the country's intellectual resources.

This manual cannot offer, in its small compass, a detailed program for the popular recovery of devotion to duty. Here we can only suggest healing approaches:

- Like moral virtue, responsibility is first acquired in family and home. Nobody does more to injure a sense of responsibility than a parent who abandons children to the television set and the peer group, "liberating" them from household chores and study at home. Assigning and enforcing duties within home and family, though it may seem stern at first, is kindness to everybody in the long run.
- In the family, as well as in the school, the imagination and the intellect can be introduced to the literature of responsibility - for such does exist, and young people

are much taken with this literature if they have not already been absorbed into a juvenile "counter-culture." It was not many years ago that boys read, for instance, Theodore Roosevelt's and Henry Cabot Lodge's Hero Tales from American History, with its stirring descriptions of George Washington; of George Rogers Clark conquering the Northwest; of the battles of Trenton, Bennington, King's Mountain, and Stony Point - to confine ourselves to Revolutionary fighting - of Governor Morris, the most brilliant delegate to the Constitutional Convention, with his one leg and his crippled arm, refusing to flee from the Jacobins in Paris. In such true tales, one learns what responsibility requires. And it was not many years ago that girls were reading about the heroines of ancient times and modern - about Hypatia, Joan of Arc, Abigail Adams. We learn our duties from learning about men and women who did theirs. One recalls James Wilson's words, quoted at the beginning of this essay: "He, who steadily pursues the road of patriotism, has the most inviting prospect of being able, at *some* times, to perform *eminent* ones."

- In schools, the pupils need to be rescued from the sham subjects of "social studies" and "civics," ordinarily the most boring and empty disciplines in school curriculum, and introduced instead to real history and to the Constitution and American political institutions. From studying genuine historical figures and genuine politics and literature of the past, young people can come to apprehend what a citizen can do for his country.
- Perhaps the best way to renew responsibility in American society is to assume responsibilities one's self. It may be difficult to find the time, and painful to fight one's way into politics at any level; nevertheless, some honest men and women must do so if the Republic is to endure another two centuries - or perhaps to the end of the twentieth century. From running for Congress to campaigning for the office of drain commissioner; from publishing a newspaper to writing a letter to the editor - there is no end to the responsibilities that may be undertaken, to the general benefit. The apparatus for doing one's political duty still exists, thanks to our Constitution.
- To fulfill one's moral responsibilities through the agencies of a church, neighborhood, and personal charity may not be exciting; yet the example of duty does win converts, and one lays up treasure in a place unaffected by manipulated currency. To give aid and comfort to fugitives from Communist lands, say, is such an act as the Signers and the Framers would have approved heartily; and it teaches moral responsibility to one's children.
- Ultimately, the recovery of a sense of responsibility is connected with the recovery of the old concept and virtue of *piety* - gratitude toward God for his gift of life, gratitude toward one's ancestors, concern for one's children and descendents. Such a sense of responsibility is in keeping with the philosophy upon which the nation was built: Creator-endowed rights and responsibilities.

In your own circumstances, you may encounter opportunities for the renewal of responsibility more promising where you live than any suggested here. In any society, it always has been a minority who have upheld order and justice and freedom. If only one out of every ten citizens of the United States of America should vigorously fulfill his responsibilities to our civil social order - why, we would not need to fear for the future of this nation.

## Chapter 7 – THE CITIZEN AND THE LAW

### THE BASIS OF LAW IN AMERICA

The foundation for law in the united States began in 1215 with the Magna Carta, also known as the Magna Carta Libertatum. It is an English charter which limited the power of English Monarchs, specifically King John, from absolute rule. Magna Carta was the result of disagreements between the Pope and King John and his barons over the rights of the king: Magna Carta required the king to abdicate certain powers and respect certain legal procedures, and to accept that the will of the king could be bound by law. Magna Carta is widely considered to be the first step in a long historical process leading to the rule of constitutional law.

Afterward, the common law of England became the basis for law in the colonies. Later, along with America's founding documents, these became the foundation of American law. Today, many states list the common law alongside the U.S. Constitution and state constitutions as the fundamental law of the land.

The Constitution is the supreme law of the land: all legislation, treaties, and court decisions must conform to it. The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for a law that violates the Constitution to be valid. This is succinctly stated as follows:

“All laws which are repugnant to the Constitution are null and void.”  
*Marbury vs. Madison*, 5 US (2 Cranch) 137, 174, 176, (1803)

“Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”  
*Miranda vs. Arizona*, 384 US 436 p. 491.

“An unconstitutional act is not law; it confers no right; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”  
*Norton vs. Shelby County* 118 US 425 p.442

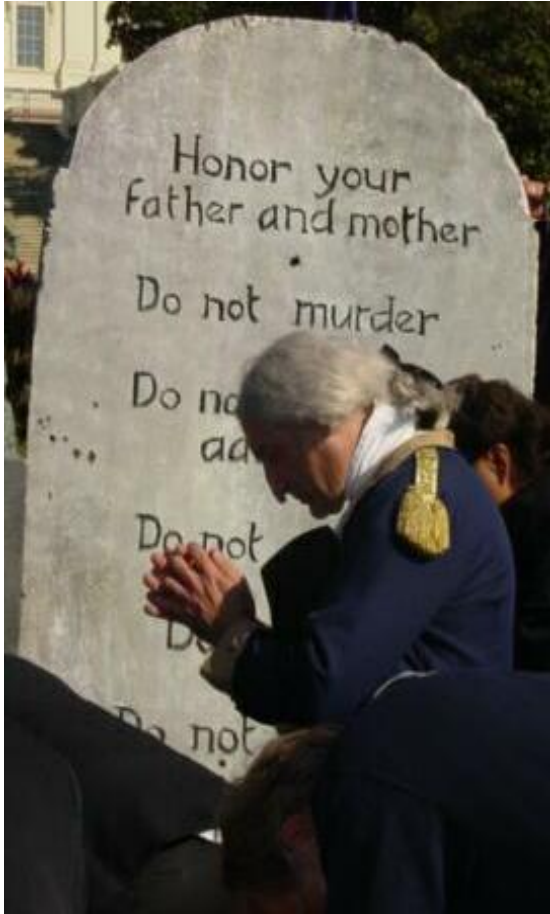
“The general rule is that an unconstitutional statute, though having the form and the name of law, is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment, and not merely from the date of the decision so branding it. ...No one is bound to obey an unconstitutional law and no courts are bound to enforce it.”

*16th American Jurisprudence 2d, Section 17, late 2nd, Section 256*



## CONSTITUTIONAL PRINCIPLES DERIVED FROM THE BIBLE & COMMON LAW

The TEN COMMANDMENTS represent God's government over Man. God commands us for our own good to give up wrongs, not rights. His system always results in LIBERTY and FREEDOM! The Constitution and the Bill of Rights are built on this foundation, which provides for *punitive justice*. Not until one damages another's person or property does a transgressor become subject to penalty. The Marxist (NWO) system is based on *preventative justice* and leads to bondage, but God's system leads to Liberty. Read very carefully:



1. Thou shalt have no other gods before Me.
2. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth.
3. Thou shalt not take the name of the Lord thy God in vain.
4. Remember the Sabbath day, and to keep it Holy. Six days shalt thou labor, and do all thy work, but the seventh day is the Sabbath of the Lord thy God.
5. Honor thy father and mother, that thy days may be long upon the land which the Lord thy God giveth thee.
6. Thou shalt not murder.
7. Thou shalt not commit adultery.
8. Thou shalt not steal.
9. Thou shalt not bear false witness against thy neighbor.
10. Thou shalt not covet any thing that is thy neighbor's.

Directly above the Chief Justice's chair is a tablet signifying the Ten Commandments. When the Speaker of the House in the U.S. Congress looks up, his eyes look into the face of Moses:

*"The Bible is the Book upon which this Republic rests."*

- Andrew Jackson, Seventh President of the United States

*"The moral principles and precepts contained in the Scriptures ought to form the basis of all our civil constitutions and laws. All the miseries and evils which men suffer from, vice, crime, ambition, injustice, oppression, slavery, and war, proceed from the despising or neglecting the precepts contained in the Bible."*

- Noah Webster

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Compare, now, these rules for good living with their opposite. The Communist Manifesto represents a misguided philosophy that defrauds citizens into **giving up their Rights for the sake of the "common good,"** but it always results in a police state. This is called preventive justice. Control is the key concept.

1. Abolition of private property.
2. Heavy progressive income tax.
3. Abolition to all rights of inheritance.
4. Confiscation of property of all emigrants and rebels.
5. A Central bank
6. Government control of Communications and Transportation
7. Government ownership of factories and agriculture.
8. Government control of labor.
9. Corporate farms, regional planning.
10. Free but compulsory education for all children in government controlled schools

Give up Rights for the common good? Absurd! Politicians, bureaucrats and especially judges **would have you believe** that too much freedom will result in chaos. Therefore, we should gladly **give up some Rights** for the good of the community. In other words, people acting in the name of government, **say we need more laws** and more jurors to enforce these laws - **even if we have to give up some more RIGHTS in the process.** They believe the more laws we have, the more control, thus a better society. This theory may sound good on paper, and apparently many of our 'leaders' think this way, as evidenced by the thousands of new laws that are added to the books each year in this country. But no matter how cleverly this Marxist argument is made, the hard fact remains that whenever you give up a RIGHT, you lose a "FREE CHOICE"!



This adds another control. Control's real name is bondage! The logical conclusion would be, if giving up some Rights produces a better society, then by giving up all rights we could produce the perfect society. *We could chain everybody to a tree, for lack of TRUST.* This may prevent a crime, but it would destroy PRIVACY, which is the heartbeat of freedom! It would also destroy trust, which is the foundation for DIGNITY. Rather than giving up Rights, we should be giving up wrongs! The opposite of control is *not* chaos. More laws do not make fewer criminals! We must give up wrongs, not rights, for a better society! William Penn of the British House of Commons, once proclaimed, **"Necessity is the plea for every infringement of human liberty; it is the argument of tyrants; it is the creed of slaves."**

## Chapter 8 – THE MILITIA ORIGINS OF POLICING

There were four primary institutions that provided the basis of English and American law enforcement for almost 600 years, from the Statute of Winchester (1285), until the statute of 1856 requiring all English counties to maintain professional police forces: (a) the local constable, appointed in England, elected from small precincts in the U.S.; (b) the neighborhood hue and cry; (c) the night watch, later supplemented by a day watch, on which in theory all adult males were bound to serve; and (d) the posse comitatus, consisting of all males over the age of 15, a variant of the citizen militia established by the Assize of Arms (1181).

### The Origin of Policing shares the same genesis as the Militia Tradition

The English background of the individual right to possess weapons dates back to the reign of King Alfred the Great in 690 A.D. Under King Alfred, every free male was required by law to possess the weapons of an infantryman and serve in the citizen militia (although the word "militia" itself was not used until the late 16th century). In 1181, King Henry II's Statute of Assize of Arms ordered all freemen to bear arms for national defense. By the late 16th century, gun ownership had become mandatory for all adult males for anti-crime purposes, and for the defense of the realm. Arms were necessary so that all citizens could join in the hutesium et clamor (hue and cry) to pursue fleeing criminals; indeed, citizens were legally required to join in. Any person who witnessed a felony could raise the hue and cry.

In Holland, the night watch was introduced in 14th century and was the responsibility of the Sheriff. But as towns grew, every neighborhood got its own department of watchmen. The organization of the night watch was based on the militia, even with titles as lieutenant, captain and colonel. But these titles were reserved for the rich and they never patrolled town.

The English colonies in America quickly established an individual right and duty to bear arms that paralleled the developments in England. In 1658, the Virginia House of Burgesses required every householder to have a functioning firearm. The purpose was to have a citizenry that could be called to militia duty to fight Indians, foreign invaders, or pursue and detain infamous criminals. Additionally, in both Great Britain and America, citizens were required to participate in anti-crime patrols such as a night watch and to obey the commands of sheriffs to pursue fleeing felons. Lastly, as a practical matter, citizens had to possess arms for their own personal protection, since public safety agencies were few and far between.

The night watch as originally conceived was a volunteer body, drawn by lottery from among all adult males. Its expiration began when the hiring of substitutes was permitted. With the rise of professional police, another form of select militia, any effort to enlist or enforce public participation in law enforcement was abandoned. Yet, the inevitability of this decline is far from obvious. Until well into the nineteenth century volunteer watchmen - not policemen - patrolled their communities to keep order.... Their presence deterred disorder or alerted the community to disorder that could not be deterred. And a relative of the night

watch survives without controversy: The volunteer fire department continues to serve in many parts of the country. Yet a new form of the night watch is being used, and though the term citizen militia is studiously avoided by modern officials, it is called "neighborhood watch" and "community policing"; the very things that are the responsibility of the citizen militia during peacetime.

A New Model of Policing

Meanwhile in England, British Home Secretary Sir Robert Peel organized the first professional city-police force in 1829 by passage of the Metropolitan Police Act. The structure of this police force placed the control of these men at the disposal of the Home Secretary himself. This in essence became the foundation for the development of nationalized police forces in every nation outside America. The abuses of nationalized police forces are well documented in the examples of Nazi Germany, the Soviet Union, Communist China, and virtually every tyrannical government since.

America resisted the development of a national police force, in large part due to the development of our traditions of decentralized power and local accountability. Another factor is the extreme caution that Americans have toward placing the power of arrest and detainment in the hands of others. Healthy distrust of government has been and remains central to the American tradition of checks and balances, and limits on the powers of those charged with policing is congruent with that tradition. By 1900, however, the growing size and political manipulation of metropolitan police forces drew mounting criticism from many who saw that the police were quickly becoming nothing short of political operatives. This parallels the development of national police forces in foreign countries as tools of persecution and political repression.



C. B. Klockars (The Idea of Police, Sage, 1985) provides a clear and brief definition of this new model of policing that closely mirrors the Maoist model of the theory of political power. "The meaning of police is not found in what is done, it is how it is done. Policing is done



by coercive force". Robert Langworthy and Lawrence Travis, in Policing in America (Macmillan, 1994) assert, "The price for more freedom is likely to be less order; the price for more order is likely to be less freedom". He continues, "Police actions must be justified in order to be considered appropriate".

Langworthy and Travis continue with this new definition of policing by expounding on the maintenance-of-order concept. They use the term "peacekeeping" to describe the new role of the police officer. Evocative as that is in describing the maintenance of the peace, we begin to see that the same terms are now being applied to our military, which are entangled in missions of peacekeeping.

"As we prepare for the future, special operations forces will be operating," says H. Allen Holmes, former Assistant Secretary of Defense, "in what I would call the seam between war and crime". In this statement alone, we see the merging of police and military functions in America. How did this happen, in a free nation where the police function and the military function have been circumscribed, that we would begin to adopt the maintenance-of-order mechanisms of other nations whose people are less free?

Clearly here we see there is a radical shift in the concepts and definitions of policing, and the people in whom this responsibility is vested. We start in the mid 18th Century with a concept of policing by the people and for the people, and by the end of the 20th Century policing is now performed by a highly elite cadre - not for the people, but to control the people. Where did we go wrong?

In examining the professionalization of the police function, we can see that the radical shift in police philosophy began with the development of urban centers. The admiration of British institutions produced a rapid introduction of the foreign (British) model of policing into American cities. This is in contrast to rural America, where the county sheriff constituted the primary police function, locally accountable and sworn to uphold the Constitution as a public official who performed many civic duties and was not limited to merely "enforcing the law".

#### Shift in Policing Returns to Basics

In the mid-1990's, the ongoing federalization of local police departments and the adoption of models of policing by the military were recognized and denounced by various law officials who maintained the integrity of their oaths to uphold the Constitution. Some of the first to do so were Sheriffs in western states such as Richard Mack and Jay Printz, as well as Officers Jack McLamb and Rick Dalton, and the hundreds and thousands of members of the American Citizens & Lawmen's Association.

From the grassroots, these patriotic peace officers began to awaken their fellow officers to the fact that there is still a Constitution! There are more yet who know and understand the militia and 2nd Amendment origins of policing in America, and have quietly participated in militia groups all over America. In these organizations, an emphasis is placed on Constitutional knowledge and understanding, skills development, and character building. Some militias even train on specific aid-to-law-enforcement skills such as communications, search & rescue, and disaster preparedness.

I already covered the emergence of citizen action groups known as "neighborhood patrols" and "Guardian Angels". These are also militia groups. Like the camouflage-clad variety, they work WITH and in support of local police! Add to this the western phenomenon of property-protection groups like Ranch Rescue, which recently interdicted nearly 280 lbs of marijuana being smuggled in from Mexico, and you have a movement that is actually accomplishing a lot to help the police perform their proper functions!

Some private special-interest organizations who are hostile to Americanism, the Constitution, and the patriot movement, have worked long and hard to demonize these fellow defenders of our communities. We are told by these self-proclaimed "experts" that citizen militia groups are "the enemy" and "criminal groups"; waiting to wage war against

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the police on a scale far grander than even the radical groups of the 1960's - such as the Black Panthers - had threatened... yet their disinformation tactics are easily exposed by the law itself, and the track record of militias themselves.

Article 1, section 8 of the Constitution clearly states that Congress has the power "To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions". Read that again! "...calling forth the Militia to execute the Laws of the Union..." Think about this: if the police have their origin in the militia, and the militia (which is the whole people) may be called forth to enforce the law, then the militia is the ally of the peace officer!! Nonetheless, the critics of a free republic are attempting to deceive police into thinking it may be necessary to shoot these people as if they were the problem. Would a policeman shoot his own partner? This is essentially what groups like the ADL and SPLC have asked police to do - and exactly what some policemen have already done in isolated cases.

Given the self-serving rhetoric dished up by these political special-interest groups, whom should the citizen trust more to assist in catching real criminals? A political hack whose concern for the people can be measured on the head of a pin, or concerned, patriotic, law-abiding people who genuinely wish to assist in the apprehension of criminals and illegal aliens; and just happen to be part of the vast class of Americans that are in fact the militia?

Since the historical and social roots of American policing have already been clearly identified in the militia tradition, anyone who enforces the laws has to examine their philosophy of policing to see whether they are on the side of the people. Are they for the full protection of constitutional rights, or against the people – with an eye to arrest them for their exercise of inalienable rights? The people bear equal responsibility for the application of justice, from the arrest of the accused to the conviction and sentencing of the guilty.



## Chapter 9 – THE ROLE OF THE ELECTED PEACE OFFICER

### THEIR DUTIES ARE THAT OF THE ABORIGINAL AMERICAN CITIZEN

Excerpted from: “The Proper Role of Law Enforcement” by Sheriff Richard Mack

Sheriff Mack wrote; “After the Revolutionary War and the subsequent creation of the U.S. Constitution, certain safeguards to protect our newly acquired liberties were established. Among these was the requirement that all government officials, including the military and law enforcement, swear an oath of loyalty... not to the President or the state governor, or the legislative assembly, or any judge, but only to the Constitution itself; the great bulwark of our liberty. Thus was born a most noble and honorable tradition of police service in this country.”

*‘I solemnly swear that I will faithfully discharge the duties of my office and that I will protect and defend the Constitution of the United States from all enemies, both foreign and domestic, so help me God.’*

“These, or similar, words are sworn to by every police officer, public servant, and government official in the entire United States. This oath carries with it a tremendous responsibility: to safeguard the principles of liberty for which hundreds of thousands of Americans have given their lives.”

The first generation of Americans understood unequivocally that *because all citizens are automatically members of the militia, it makes sense that since even before the founding of our nation, we as members of our great society owe it to our fellowmen to uphold the principles for which this country was created.* When one becomes a policeman or a soldier, one does not cease to be a citizen, nor does the attendant responsibilities.

On the day that our vigilance lapsed, we condoned our neighbors’ abdication of the same duty. Afterward, it was only a matter of time before fellow Americans started to engineer ways to infringe upon one another’s Rights in order to gain an unfair advantage, and we have been sliding down the slippery slope ever since.

Likewise, without a memory of the proper role of government, the people have forgotten the proper role of the peace officer. Peace officers have, perversely, become known as ‘law-enforcement officers’. While that in itself does not sound ominous, considering that all of the most fundamental and wholesome laws have remained on the books, the term ‘law enforcement’ is value-neutral and generic. This is the rub. Officers are not supposed to be value-neutral. They are supposed to be values-positive. If a peace officer is handed an unconstitutional law, he has the *duty to not* enforce it; such as “Be it hereafter ordered that every person who refuses to surrender their firearms shall be detained and surrendered to the federal authorities for mandatory execution.”

Many cops would likely disobey such an order, or at least we hope. But it is a documented fact that police officers routinely obey and carry out the enforcement of various and sundry laws that are not the least bit Constitutional. Most of this is done out of ignorance, but occasionally you will encounter an officer whose moral and constitutional compass has had its polarity reversed. They see no issue with enforcing unconstitutional laws because they do not see themselves as peace officers sworn to uphold the

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Constitution; they see themselves as law-enforcement officers whose loyalty is to the government that pays them their salaries. How many police, *right now*, are prepared to quit their jobs rather than compromise the principles for which they took an oath?

In September of 2005, we saw a clear example of what police and soldiers would do when faced with the choice of choosing between their continued but morally compromised employment and the possibility of unemployment or possibly even prison incarceration. They proceeded to follow the clearly unconstitutional orders to disarm the survivors of hurricane Katrina in New Orleans. In one case, a soldier acknowledged the possibility that he may be ordered to shoot and kill American citizens to carry out that mission... an order that as uncomfortable as he was with the prospect, he believed that he had an irresistible obligation to carry out – no matter how objectionable it may be.



Let us refer once again to the fundamental purpose of government: to protect the Rights and liberties of its citizens. Therefore, all agents & officers of a de jure government are likewise obliged to ensure and fulfill that fundamental purpose. In America, that purpose is proclaimed by our Declaration of Independence, Constitution and Bill of Rights. In order for the government and its employees to remain true, they must strictly subordinate themselves to the Constitution.

It was argued by our founders that, when the government routinely becomes a predator upon the Rights of the people - rather than a protector - then it has become abusive of the ends for which it is created and should be abolished; with new guards being set for future Liberty. In fact, that has already been averred by contemporary observers, and graphically demonstrated by the post-hurricane use of force in Louisiana. It cannot be disputed that this tragedy is the culmination of the abandonment of Constitutional principles over the past 150 years.

Fortunately, Sherriff Mack is not alone in connecting the dots between the proper role of the police, the Constitution, the purpose of government, and Liberty. Officer Jack McLamb, founder of Police & Military Against the New World Order and the editor of *Aid & Abet* magazine, is another sterling example. Mc Lamb writes: "If tyranny comes to your doorstep, it must come in uniform". As a corollary, he also avers: "If officers don't enforce treason, it won't get enforced".

Therefore, it is incumbent upon all law-abiding and peaceable citizens to support and assist every officer of the law that upholds his Constitutional duties. By supporting the police who uphold the Constitution, we support the defense of our Liberties.

## Appendix A – CITIZENSHIP STUDY QUESTIONS

1. Identify the following documents, the date they were created, and describe them:
  - Declaration of Independence
  - Articles of Confederation
  - Preamble to the Constitution
  - The Constitution and Bill of Rights
  - Amendments to the Constitution
  - Constitution for Indiana State
2. Can you name seven voluntary organizations or forms of association, not subsidized or directed by government, that perform important functions or services in your community or in America as a whole? Explore the benefit from volunteerism as opposed to a "let the government do it" attitude.
3. State what the purpose of government is.
4. Explain how the Rule of Law (Constitutional Rule) was expected to limit government, and how that protects the Rights of individuals.
5. How do forms of government differ:
  - What is a Republic?
  - What is a Democracy?
  - What is a Monarchy?
  - What is a Dictatorship?
  - What is an Oligarchy?What is the one "Achilles Heel" of our form of government?
6. Name the three branches of our government and explain their functions. Explain the checks and balances on each branch of government.
7. Outline the relationships between state and federal governments.
  - What is Federalism?
  - What is Confederalism?
8. Does the 10th Amendment create a check against the entire federal government by the States? Are there exceptions? Why?
9. Identify the Indiana's senators and the member of Congress from your congressional district.
10. Why is civic virtue important? Identify five important responsibilities of citizens to their fellow citizens. Why is education about these duties important?
11. What are five important functions of our national government? Explain how these functions affect you, your family and local community.
12. Explore the ways and means of how federal government functions have transformed away from the Constitutional into what we have today. How did the people let it happen?
13. Discuss the main ways by which the federal government is financed. Could withholding the payment of direct taxes constitute a check and balance by the people against an oversized, powerful federal government?

## Appendix B – UNITED STATES CONSTITUTION

### PREAMBLE

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

### ARTICLE I.

Section. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons [Modified by Amendment XIV]. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one,

Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof [Modified by Amendment XVII], for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies [Modified by Amendment XVII].

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that

Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December [Modified by Amendment XX], unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States;<sup>[3]</sup> If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor

shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II.

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the

State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President [Modified by Amendment XII].

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years,

and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected [Modified by Amendment XXV].

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: — "I do solemnly swear (or affirm) 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."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior

Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

Section. 1. The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State [Modified by Amendment XI]; — between Citizens of different States; — between Citizens of the same State claiming

Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or

Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due [Modified by Amendment XIII].

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

ARTICLE V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the

United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word "the," being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson, Secretary done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,  
Geo. WASHINGTON — Presidt.  
and deputy from Virginia  
New Hampshire {

JOHN LANGDON  
NICHOLAS GILMAN

Massachusetts {

NATHANIEL GORHAM  
RUFUS KING

Connecticut {

WM. SAML. JOHNSON  
ROGER SHERMAN

New York . . . .

ALEXANDER HAMILTON

New Jersey {

WIL: LIVINGSTON  
DAVID BREARLEY.  
WM. PATERSON.  
JONA: DAYTON

Pennsylvania {

B FRANKLIN  
THOMAS MIFFLIN  
ROBT MORRIS  
GEO. CLYMER  
THOS. FITZ SIMONS  
JARED INGERSOLL  
JAMES WILSON  
GOUV MORRIS

Delaware {

GEO: READ  
GUNNING BEDFORD jun  
JOHN DICKINSON  
RICHARD BASSETT  
JACO: BROOM

Maryland {

JAMES MCHENRY  
DAN OF ST THOS. JENIFER  
DANL CARROLL

Virginia {

JOHN BLAIR  
JAMES MADISON

North Carolina {

WM. BLOUNT  
RICHD. DOBBS SPAIGHT  
HU WILLIAMSON

South Carolina {

J. RUTLEDGE  
CHARLES COTESWORTH  
PINCKNEY  
CHARLES PINCKNEY  
PIERCE BUTLER

Georgia {

WILLIAM FEW  
ABR BALDWIN

In Convention Monday, Sept. 17th, 1787.

Present

The States of New Hampshire, Massachusetts, Connecticut, MR. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Resolved,

That the preceding Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification; and that each Convention assenting to, and ratifying the Same, should give Notice thereof to the United States in Congress assembled. Resolved, That it is the Opinion of this Convention, that as soon as the Conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a Day on which Electors should be appointed by the States which have ratified the same, and a Day on which the Electors should assemble to vote for the President, and the Time and Place for commencing Proceedings under this Constitution. That after such Publication the Electors should be appointed, and the Senators and Representatives elected: That the Electors should meet on the Day fixed for the Election of the President, and should transmit their Votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the Time and Place assigned; that the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening and counting the Votes for President; and, that after he shall be chosen, the Congress, together with the President, should, without Delay, proceed to execute this Constitution.

By the Unanimous Order of the Convention

Go. WASHINGTON — Presidt.

W. JACKSON Secretary.



## **Appendix C – BILL of RIGHTS to the U.S. CONSTITUTION**

### Preamble

The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added.

### Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

### Amendment II

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

### Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

### Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

### Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

### Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

### Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## Appendix D –CONSTITUTION of INDIANA

### 1816 Constitution of the State of Indiana

Preamble

Article I (Bill of rights)

Article II (Distribution of government powers)

Article III (Legislative branch)

Article IV (Executive branch)

Article V (Judicial branch)

Article VI (Elections)

Article VII (Militia)

Article VIII (Revising the constitution)

Article IX (Education)

Article X (Banks and banking)

Article XI (Gen provisions: oaths, treason, slavery, state boundaries, &c.)

Article XII (Transition from territorial to state government)

#### PREAMBLE

We the Representatives of the people of the Territory of Indiana, in Convention met, at Corydon, on Monday the tenth day of June in the year of our Lord eighteen hundred and sixteen, and of the Independence of the United States, the fortieth, having the right of admission into the General Government, as a member of the union, consistent with the constitution of the United States, the ordinance of Congress of one thousand seven hundred and eighty seven, and the law of Congress, entitled "An act to enable the people of the Indiana Territory to form a Constitution and State Government, and for the admission of such state into the union, on an equal footing with the original States" in order to establish Justice, promote the welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish the following constitution or form of Government, and do mutually agree with each other to form ourselves into a free and Independent state, by the name of the State of Indiana.

#### ARTICLE I.

Sect. 1st. That the general, great and essential principles of liberty and free Government may be recognized and unalterably established; WE declare, That all men are born equally free and independent, and have certain natural, inherent, and unalienable rights; among which are the enjoying and defending life and liberty, and of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

Sect. 2. That all power is inherent in the people; and all free Governments are founded on their authority, and instituted for their peace, safety and happiness. For the advancement of these ends, they have at all times an unalienable and indefeasible right to alter or reform their Government in such manner as they may think proper.

Sect. 3. That all men have a natural and indefeasible right to worship Almighty God, according to the dictates of their own consciences: That no man shall be compelled to attend, erect, or support any place of Worship, or to maintain any ministry against his consent: That no human authority can, in any case whatever, control or interfere with the rights of conscience: And that no preference shall ever be given by law to any religious societies, or modes of worship; and no religious test shall be required as a qualification to any office of trust or profit.

Sect. 4. That elections shall be free and equal.

Sect. 5. That in all civil cases, when the value in controversy shall exceed the sum of twenty dollars, and in all criminal cases, except in petit misdemeanors which shall be punished by fine only, not exceeding three dollars, in such manner as the Legislature may prescribe by law; the right of trial by Jury shall remain inviolate.

Sect. 6th. That no power of suspending the operation of the laws, shall be exercised, except by the Legislature, or its authority.

Sect. 7th. That no man's particular services shall be demanded, or property taken, or applied to public use, without the consent of his representatives or without a just compensation being made therefor.

Sec. 8. The rights of the people, to be secure in their persons, houses, papers, and effects, against unreasonable searches, and seizures, shall not be violated: and no warrant shall issue, but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Sect. 9th. That the printing presses shall be free to every person, who undertakes to examine the proceedings of the Legislature, or any branch of Government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts, and opinions, is one of the invaluable rights of man; and every Citizen may freely speak,

write, and print on any subject, being responsible for the abuse of that liberty.

Sect. 10. In prosecutions for the publication of papers investigating the official conduct of officers, or men in a public capacity, or when the matter published is proper for the public information, the truth thereof may be given in evidence; and in all indictments for libels, the Jury shall have a right to determine the law and the facts, under the direction of the court, as in other cases.

Sect. 11. That all Courts shall be open, and every person, for an injury done him, in his lands, goods, person, or reputation shall have remedy by the due course of law; and right and justice administered without denial or delay.

Sect. 12. That no person arrested, or confined in Jail, shall be treated with unnecessary rigour, or be put to answer any criminal charge, but by presentment Indictment, or impeachment.

Sect. 13. That in all criminal prosecutions, the accused hath a right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favour, and in prosecutions by indictment, or presentment, a speedy public trial by an impartial Jury of the County or district in which the offence shall have been committed; and shall not be compelled to give evidence against himself, nor shall be twice put in jeopardy for the same offence.

Sect. 14. That all persons shall beailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety may require it.

Sect. 15. Excessive bail shall not be required, excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

Sect. 16. All penalties shall be proportioned to the nature of the offence.

Sect. 17. The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison, after delivering up his estate, for the benefit of his creditor, or creditors, in such manner as shall be prescribed by law.

Sect. 18. No ex post facto law, nor any law impairing the validity of contracts, shall ever be made, and no conviction shall work corruption of blood, nor forfeiture of estate.

Sect. 19. That the people have a right to assemble together in a peaceable manner, to consult for their common good, to instruct their

representatives, and to apply to the Legislature for redress of grievances.

Sect. 20. That the people have a right to bear arms for the defence of themselves, and the state; and that the military shall be kept in strict subordination to the civil power.

Sect. 21. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Sect. 22. That the Legislature shall not grant any title of nobility, or hereditary distinctions, nor create any office, the appointment to which, shall be for a longer term than good behaviour.

Sect. 23. That emigration from the state shall not be prohibited.

Sect. 24. To guard against any encroachments on the rights herein retained, we declare, that every thing in this article, is excepted out of the general powers of Government, and shall forever remain inviolable.

ARTICLE II The powers of the Government of Indiana shall be divided into three distinct departments, and each of them be confided to a separate body of Magistracy, to wit: those which are Legislative to one, those which are Executive to another, and those which are Judiciary to another: And no person or collection of persons, being of one of those departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.

ARTICLE III

Sect. 1. The Legislative authority of this state, shall be vested in a general assembly, which shall consist of a Senate, and house of Representatives, both to be elected by the people.

Sect. 2. The General Assembly may, within two years after their first meeting, and shall, in the year eighteen hundred and twenty, and every subsequent term of five years, cause an enumeration to be made, of all the white male inhabitants above the age of twenty-one years. The number of Representatives shall, at the several periods of making such enumeration, be fixed by the General Assembly, and apportioned among the several counties, according to the number of white male inhabitants, above twenty-one years of age in each; and shall never be less than twenty-five, nor greater than thirty-six, until the number of white male inhabitants above twenty-one years of age, shall be twenty-two thousand; and after that event, at such ratio, that

the whole number of Representatives shall never be less than thirty-six, nor exceed one hundred.

Sect. 3. The Representatives shall be chosen annually, by the qualified electors of each County respectively, on the first Monday of August.

Sect. 4. No person shall be a Representative, unless he shall have attained the age of twenty-one years, and shall be a Citizen of the united States, and an inhabitant of this state, and shall also have resided within the limits of the County, in which he shall be chosen, one year next preceeding his election; if the County shall have been so long erected, but if not, then within the limits of the County or Counties out of which it shall have been taken; unless he shall have been absent on the public business of the united States, or of this state, and shall have paid a State or County tax.

Sect. 5. The Senators shall be chosen for three years, on the first Monday in August, by the qualified voters for Representatives; and on their being convened, in consequence of the first election, they shall be divided by lot, from their respective Counties, or districts, as near as can be, into three classes; the seats of the senators of the first class shall be vacated at the expiration of the first year; & the second class, at the expiration of the second year; and of the third class, at the expiration of the third year; so that one third thereof, as near as possible, may be annually chosen forever thereafter.

Sect. 6. The number of senators shall, at the several periods of making the enumeration before mentioned, be fixed by the General Assembly, and apportioned among the several Counties or districts, to be established by law, according to the number of white male inhabitants of the age of twenty-one years in each, and shall never be less than one third, nor more than one half of the number of Representatives.

Sect. 7. No person shall be a senator, unless he shall have attained the age of twenty-five years, and shall be a Citizen of the united States, and shall, next preceeding the election, have resided two years in the state, the last twelve months of which, in the County or district in which he may be elected; if the county or district shall have been so long erected, but if not, then within the limits of the County, or Counties, district or districts, out of which the same shall have been taken; unless he shall have been absent on the public business of the united States, or of this state, and shall moreover, have paid a State or County tax.

Sect. 8. The house of Representatives, when assembled, shall choose a Speaker, and its other officers, and the Senate shall choose its officers, except the president; and each shall be judges of the qualifications and elections of its members;

and sit upon its own adjournments. Two thirds of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

Sect. 9. Each house shall keep a Journal of its proceedings, and publish them: The yeas and nays of the members, on any question, shall, at the request of any two of them, be entered on the Journals.

Sect. 10. Any one member of either house, shall have liberty to dissent from, and protest against any act or resolution, which he may think injurious to the public, or any individual or individuals, and have the reason of his dissent entered on the Journals.

Sect. 11. Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the Legislature of a free and independent State.

Sect. 12. When vacancies happen in either branch of the General Assembly, the Governor, or the person exercising the power of Governor, shall issue writs of election to fill such vacancies.

Sect. 13. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest, during the Session of the General Assembly, and in going to, or returning from the same; and for any Speech or debate in either house, they shall not be questioned in any other place.

Sect. 14. Each house may punish, by imprisonment, during their Session, any person, not a member, who shall be guilty of any disrespect to the house, by any disorderly, or contemptuous behaviour in their presence; provided such imprisonment shall not, at any one time, exceed twenty-four hours.

Sect. 15. The doors of each house, and of committees of the whole, shall be kept open, except in such cases as, in the opinion of the House, may require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the two houses shall be sitting.

Sect. 16. Bills may originate in either house, but may be altered, amended or rejected by the other.

Sect. 17. Every bill shall be read on three different days in each house, unless, in case of urgency, two-thirds of the house, when such bill may be depending, shall deem it expedient to dispense with this rule: And every bill having passed both houses, shall be signed by the president and speaker of their respective houses.

Sect. 18. The style of the laws of this State shall be, "Be it enacted by the General assembly of the State of Indiana."

Sect. 19. All bills for raising revenue shall originate in the house of Representatives, but the senate may amend or reject, as in other bills.

Sect. 20. No person, holding any office under the authority of the President of the United States, or of this State, Militia officers excepted, shall be eligible to a seat in either branch of the General Assembly; unless he resign his office, previous to his election; nor shall any member of either branch of the General Assembly, during the time for which he is elected, be eligible to any office, the appointment of which is vested in the General Assembly: Provided That nothing, in this constitution, shall be so construed, as to prevent any member of the first Session of the first General Assembly from accepting any office, that is created by this constitution, or the Constitution of the united States, and the salaries of which are established.

Sect. 21. No money shall be drawn from the Treasury but in consequence of appropriations made by law.

Sect. 22. An accurate Statement of the receipts and expenditures of the public money shall be attached to, and published with the laws, at every annual session of the General Assembly.

Sect. 23. The house of Representatives shall have the sole power of impeaching; but a majority of all the members elected must concur in such impeachment. All impeachments shall be tried by the senate, and when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of a majority of all the senators elected.

Sect. 24. The Governor, and all civil officers of the State, shall be removed from office, on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors; but Judgment in such cases, shall not extend further than removal from office, and disqualification to hold any office of honour, profit, or trust, under this State. The party, whether convicted or acquitted shall, nevertheless, be liable to indictment trial, judgment, and punishment, according to law.

Sect. 25. The first session of the General Assembly shall commence on the first Monday of November next, and forever after, the General Assembly shall meet on the first Monday in December, in every year, and at no other period, unless directed by law, or provided for by this Constitution.

Sect. 26. No person, who hereafter may be a collector, or holder of public money, shall have a

seat in either house of the General Assembly, until such person shall have accounted for, and paid into the Treasury all sums for which he may be accountable.

ARTICLE IV

Sect. 1st. The Supreme Executive power of this State shall be vested in a Governor, who shall be styled, the Governor of the State of Indiana.

Sect. 2. The Governor shall be chosen by the qualified electors, on the first monday in August, at the places where they shall respectively vote for Representatives. The returns of every election for Governor shall be sealed up and transmitted to the seat of Government, directed to the speaker of the house of Representatives, who shall open and publish them in the presence of both houses of the General assembly. The person having the highest number of votes shall be governor, but if two or more shall be equal, and highest in votes, one of them shall be chosen Governor by the joint vote of the members of both houses. Contested elections shall be determined by a committee, to be selected from both houses of the General assembly and formed and regulated in such manner as shall be directed by law.

Sect. 3. The Governor shall hold his office during three years, from and after the third day of the first session of the General assembly, next ensuing his election, and until a successor shall be chosen and qualified, and shall not be capable of holding it longer than six years in any term of nine years.

Sect. 4. He shall be at least thirty years of age, and shall have been a citizen of the united States ten years, and have resided in the State five years next preceeding his Election; unless he shall have been absent on the business of the State, or of the United States; provided that this shall not disqualify any person from the office of Governor, who shall be a citizen of the United States, and Shall have resided in the Indiana Territory two years next preceeding the adoption of this Constitution.

Sect. 5. No member of Congress, or person holding any office under the united States, or this State, shall exercise the office of Governor, or Lieutenant Governor.

Sect. 6. The Governor shall, at Stated times, receive for his services a compensation, which shall neither be increased nor diminished during the term for which he shall have been elected.

Sect. 7. He shall be commander in chief of the army and Navy of this State and of the Militia thereof, except when they shall be called into the service of the United States, but he shall not command personally in the field unless he shall be advised so to do by a resolution of the General assembly.

Sect. 8. He shall nominate, and, by and with the advice and consent of the senate, appoint and commission all officers, the appointment of which is not otherwise directed by this Constitution, and all offices which may be created by the General Assembly, shall be filled in such manner as may be directed by law.

Sect. 9. Vacancies that may happen in offices, the appointment of which is vested in the Governor, and senate, or in the General Assembly, shall be filled by the Governor, during the recess of the General Assembly, by granting Commissions that shall expire at the end of the next Session.

Sect. 10. He shall have power to remit fines and forfeitures, grant reprieves and pardons, except in cases of impeachments.

Sect. 11. He may require information in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

Sect. 12. He shall, from time to time, give to the General Assembly information of the affairs of the State, and recommend to their consideration, such measures as he shall deem expedient.

Sect. 13. He may, in extraordinary occasions, convene the General Assembly at the seat of Government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders, and in case of a disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the time of their next annual Session.

Sect. 14. He shall take care that the laws be faithfully executed.

Sect. 15. A Lieutenant Governor shall be chosen at every election for a Governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for Governor, and Lieutenant Governor, the electors shall distinguish whom they vote for as Governor, and whom, as Lieutenant Governor.

Sect. 16. He shall, by virtue of his office, be President of the Senate, have a right, when in Committee of the whole, to debate and vote on all subjects, and when the senate are equally divided, to give the casting vote.

Sect. 17. In case of impeachment of the Governor, his removal from office, death, refusal to qualify, resignation, or absence from the State, the Lieutenant Governor shall exercise all the powers and authority appertaining to the office of Governor, until another be duly qualified, or the Governor absent, or impeached, shall return, or be acquitted.

Sect. 18. Whenever the Government shall be administered by the Lieutenant Governor, or he

shall be unable to attend as President of the senate, the senate shall elect one of their own members as president for that occasion. And if during the vacancy of the office of Governor, the Lieutenant Governor shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the State, the President of the senate pro tem, shall in like manner administer the Government, until he shall be superseded by a Governor or Lieutenant Governor. The Lieutenant Governor, while he acts as president of the senate, shall receive, for his services the same Compensation which shall, for the same period, be allowed to the Speaker of the house of Representatives and no more: and during the time he administers the Government as Governor, shall receive the same compensation which the governor would have received, and been entitled to, had he been employed in the duties of his office, and no more.

Sect. 19. The President pro tempore of the senate, during the time he administers the Government, shall receive in like manner, the same compensation, which the Governor would have received, had he been employed in the duties of his office, and no more.

Sect. 20. If the Lieutenant Governor shall be called upon to administer the Government, and shall, while in such administration, resign, die, or be absent from the State, during the recess of the General Assembly, it shall be the duty of the Secretary of State, for the time being, to convene the Senate for the purpose of choosing a president pro tempore.

Sect. 21. A secretary of state shall be chosen by the joint ballot of both houses of the General Assembly, and be commissioned by the Governor for four years, or until a new secretary be chosen and qualified. He shall keep a fair register, and attest all the official acts and proceedings of the Governor, and shall, when required, lay the same and all papers, minutes and vouchers, relative thereto, before either house of the General assembly, and shall perform such other duties as may be enjoined him by law.

Sect. 22. Every bill, which shall have passed both houses of the General assembly, shall be presented to the Governor: if he approve, he shall sign it; but if not, he shall return it with his objections, to the house in which it have originated, who shall enter the objections at large upon their Journals and proceed to reconsider it; if after such reconsideration, a majority of all the members elected to that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that house, it shall be a

law; but, in such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for, and against the bill, shall be entered on the Journals of each house respectively. If any bill shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him, it shall be a law, in like manner as if he had signed it: unless the General adjournment prevents its return, in which case it shall be a law, unless sent back within three days after their next meeting.

Sect. 23. Every resolution, to which the concurrence of both houses may be necessary, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by a majority of all the members elected to both houses, according to the rules and limitations prescribed in case of a bill.

Sect. 24. There shall be elected, by joint ballot of both houses of the General Assembly, a Treasurer, and Auditor, whose powers and duties shall be prescribed by law, and who shall hold their offices three years, and until their successors be appointed and qualified.

Sect. 25. There shall be elected in each County, by the qualified electors thereof, one Sheriff, and one Coroner, at the times and places of holding elections for members of the General assembly. They shall continue in office two years, and until successors shall be chosen and duly qualified: provided, that no person shall be eligible to the office of sheriff more than four years in any term of six years.

Sect. 26. There shall be a seal of this State, which shall be kept by the Governor and used by him officially, and shall be called, the seal of the State of Indiana.

ARTICLE V

Sect. 1st. The Judiciary power of this State, both as to matters of law and equity, shall be vested in one Supreme Court, in Circuit Courts, and in such other inferior Courts, as the General Assembly may from time to time, direct and establish.

Sect. 2nd. The Supreme Court shall consist of three Judges, any two of whom shall form a quorum, and shall have appellate Jurisdiction only which shall be co-extensive with the limits of the State, under such restrictions, and regulations, not repugnant to this constitution, as may from time to time be prescribed by law. Provided nothing in this article shall be so construed, as to prevent the General Assembly from giving the Supreme Court original Jurisdiction in Capital cases, and cases in chancery, where the President of the Circuit Court, may be interested or prejudiced.

Sect. 3rd. The Circuit Courts shall each consist of a President, and two associate Judges. The State shall be divided by law into three circuits, for each of which, a president shall be appointed, who during his continuance in office, shall reside therein. The President and associate Judges, in their respective Counties, shall have Common law and chancery Jurisdiction, as also complete criminal Jurisdiction, in all such cases and in such manner, as may be prescribed by law. The President alone, in the absence of the associate Judges, or the President and one of the associate Judges, in the absence of the other shall be competent to hold a Court, as also the two associate Judges, in the absence of the President, shall be competent to hold a Court, except in capital cases, and cases in chancery, provided, that nothing herein contained, shall prevent the General Assembly from increasing the number of circuits, and Presidents, as the exigencies of the State may from time to time require.

Sect. 4. The Judges of the supreme Court, the Circuit, and other inferior Courts, shall hold their offices during the term of seven years, if they shall so long behave well, and shall at stated times receive for their services, a compensation which shall not be diminished during their continuance in office.

Sect. 5. The Judges of the Supreme Court shall by virtue of their offices, be conservators of the peace throughout the State, as also the Presidents of the Circuit Courts, in their respective Circuits, and the associate Judges in their respective Counties.

Sect. 6. The Supreme Court shall hold its sessions at the seat of Government, at such times as shall be prescribed by law: And the circuit Courts shall be held in the respective Counties as may be directed by law.

Sect. 7. The Judges of the supreme Court shall be appointed by the Governor, by and with the advice, and consent of the senate. The Presidents of the circuit Courts shall be appointed by Joint Ballot of both branches of the General Assembly, and the associate Judges of the Circuit Courts, shall be elected by the qualified electors in the respective Counties.

Sect. 8. The supreme Court shall appoint its own Clerk, and the clerks of the circuit Court, in the several Counties, shall be elected by the qualified electors, in the several Counties, but no person shall be eligible to the office of clerk of the Circuit Court in any County, unless he shall first have obtained, from one or more of the Judges of the Supreme Court, or from one or more of the Presidents of the Circuit Courts, a certificate that he is qualified to execute the duties of the office of

Clerk of the circuit Court; provided that nothing herein Contained shall prevent the circuit Courts in each County, from appointing a clerk pro tem, until a qualified Clerk may be duly elected, and provided also, that the said clerks respectively when qualified, and elected, shall hold their offices seven years, and no longer, unless re-appointed.

Sect. 9. All clerks shall be removable by impeachment as in other cases.

Sect. 10. When any vacancies happen in any of the Courts occasioned by the death, resignation, or removal from office of any Judge of the supreme, or Circuit Courts, or any of the clerks of the said Courts, a successor shall be appointed in the same manner, as herein before prescribed, who shall hold his office for the period which his predecessor had to serve, and no longer unless reappointed.

Sect. 11. The style of all process shall be "The State of Indiana." All prosecutions shall be carried on in the name and by the authority of the State of Indiana; and all indictments shall conclude, against the peace and dignity of the same.

Sect. 12. A competent number of Justices of the peace shall be elected by the qualified electors in each Township, in the several Counties, and shall continue in office five years, if they shall so long behave well, whose powers, and duties shall, from time to time, be regulated and defined by law.

ARTICLE VI

Sect. 1st. In all elections, not otherwise provided for by this constitution, every white male Citizen of the united States, of the age of twenty-one years and upwards, who has resided in the State, one year immediately preceeding such election, shall be entitled to vote in the County where he resides; except such as shall be enlisted in the army of the united States or their allies.

Sect. 2. All elections shall be by ballot; provided that the General Assembly may, if they deem it more expedient at their Session in eighteen hundred and twenty-one, change the mode so as to vote viva voce, after which time it shall remain unalterable.

Sect. 3. Electors shall in all cases, except treason, felony, or breach of the peace, be free from arrest, in going to, during their attendance at, and in returning home from elections.

Sect. 4. The General Assembly shall have full power to exclude from electing, or being elected, any person convicted of any infamous crime.

Sect. 5. Nothing in this article shall be so construed as to prevent citizens of the united States, who were actual residents at the time of adopting this constitution, and who, by the existing laws of this Territory are entitled to vote or

persons who have been absent from home on a visit, or necessary business, from the privilege of electors.

ARTICLE VII

Sect. 1st. The Militia of the State of Indiana shall consist of all free able bodied male persons; Negroes, Mulattoes and Indians excepted, resident in the said state, between the ages of eighteen, and forty-five years, except such persons as now are, or hereafter may be exempted by the laws of the United States, or of this State; and shall be armed, equipped, and trained, as the general Assembly may provide by law.

Sect. 2. No person or persons conscientiously scrupulous of bearing arms, shall be compelled to do Militia duty; provided such person or persons shall pay an equivalent for such exemption; which equivalent shall be collected annually, by a civil officer, and be hereafter fixed by law, and shall be equal as near as may be, to the lowest fines assessed on those privates in the Militia, who may neglect or refuse to perform Militia duty.

Sect. 3. Captains and subalterns shall be elected by those persons in their respective Company districts, who are subject to perform Militia duty, and the captain of each Company shall appoint the non-commissioned officers to said company.

Sect. 4. Majors shall be elected by those persons within the bounds of their respective Battalion districts, subject to perform Militia duty, and Colonels shall be elected by those persons within the bounds of their respective Regimental districts, subject to perform Militia duty.

Sect. 5. Brigadier Generals shall be elected by the commissioned officers within the bounds of their respective brigades, and Major Generals shall be elected by the Commissioned officers within the bounds of their respective Divisions.

Sect. 6. Troops and squadrons of Cavalry, and companies of Artillery riflemen, grenadiers, or light infantry, may be formed in the said state, in such manner as shall be prescribed by law: provided, however, that every troop or squadron of Cavalry, company of Artillery, riflemen, grenadiers, or light infantry which may hereafter be formed within the said state, shall elect their own officers.

Sect. 7. The Governor shall appoint the adjutant general, and quarter-master generals, as also his aids de camp.

Sect. 8. Major Generals shall appoint their aids de camp, and all other Division Staff officers; Brigadier Generals shall appoint their Brigade Majors, and all other Brigade Staff officers; and Colonels shall appoint their Regimental Staff officers.

Sect. 9. All militia officers shall be commissioned by the Governor, and shall hold their Commissions during good behaviour, or until they arrive at the age of sixty years.

Sect. 10. The General Assembly shall, by law, fix the method of dividing the militia of the said State, into Divisions, Brigades, Regiments, Battalions, and Companies, and shall also fix the rank of all staff officers.

ARTICLE VIII

Sect. 1. Every twelfth year, after this constitution shall have taken effect, at the general election held for Governor there shall be a poll opened, in which the qualified Electors of the State shall express, by vote, whether they are in favour of calling a convention, or not, and if there should be a majority of all the votes given at such election, in favour of a convention, the Governor shall inform the next General Assembly thereof, whose duty it shall be to provide, by law, for the election of the members to the convention, the number thereof, and the time and place of their meeting; which law shall not be passed unless agreed to by a majority of all the members elected to both branches of the General assembly, and which convention, when met, shall have it in their power to revise, amend, or change the constitution. But, as the holding any part of the human Creation in slavery, or involuntary servitude, can only originate in usurpation and tyranny, no alteration of this constitution shall ever take place so as to introduce slavery or involuntary servitude in this State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

ARTICLE IX

Sect. 1st. Knowledge and learning generally diffused, through a community, being essential to the preservation of a free Government, and spreading the opportunities, and advantages of education through the various parts of the Country, being highly conducive to this end, it shall be the duty of the General Assembly to provide, by law, for the improvement of such lands as are, or hereafter may be granted, by the united States to this state, for the use of schools, and to apply any funds which may be raised from such lands, or from any other quarters to the accomplishment of the grand object for which they are or may be intended. But no lands granted for the use of schools or seminaries of learning shall be sold by authority of this state, prior to the year eighteen hundred and twenty; and the monies which may be raised out of the sale of any such lands, or otherwise obtained for the purposes aforesaid, shall be and remain a fund for the

exclusive purpose of promoting the interest of Literature, and the sciences, and for the support of seminaries and public schools. The General Assembly shall from, time to time, pass such laws as shall be calculated to encourage intellectual, Scientifical, and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, sciences, commerce, manufactures, and natural history; and to countenance and encourage the principles of humanity, honesty, industry, and morality.

Sect. 2. It shall be the duty of the General assembly, as soon as circumstances will permit, to provide, by law, for a general system of education, ascending in a regular gradation, from township schools to a state university, wherein tuition shall be gratis, and equally open to all.

Sect. 3. And for the promotion of such salutary end, the money which shall be paid, as an equivalent, by persons exempt from militia duty except, in times of war, shall be exclusively, and in equal proportion, applied to the support of County seminaries; also all fines assessed for any breach of the penal laws, shall be applied to said seminaries, in the Counties wherein they shall be assessed.

Sect. 4. It shall be the duty of the General assembly, as soon as circumstances will permit, to form a penal Code, founded on the principles of reformation, and not of vindictive Justice: and also to provide one or more farms to be an asylum for those persons, who by reason of age, infirmity, or other misfortunes, may have a claim upon the aid and beneficence of society; on such principles, that such persons may therein, find employment, and every reasonable comfort and lose, by their usefulness, the degrading sense of dependence.

Sect. 5. The General Assembly, at the time they lay off a new County, shall cause, at least, ten per cent to be reserved out of the proceeds of the sale of town lots, in the seat of Justice of such county, for the use of a public library for such County, and at the same session, they shall incorporate a library company, under such rules and regulations as will best secure its permanence, and extend its benefits.

ARTICLE X

Sect. 1st. There shall not be established or incorporated, in this state, any Bank or Banking company or monied institution, for the purpose of issuing bills of credit, or bills payable to order or bearer; Provided that nothing herein contained shall be so construed as to prevent the General assembly from establishing a State Bank, and branches, not exceeding one branch for any three Counties, and be established at such place, within such Counties, as the directors of the State Bank

may select; provided there be subscribed, and paid in specie, on the part of individuals, a sum equal to thirty thousand dollars: Provided also, that the Bank at Vincennes, and the Farmers' and Mechanics' Bank of Indiana, at Madison, shall be considered as incorporated Banks, according to the true tenor of the charters granted to said Banks, by the Legislature of the Indiana Territory: Provided that nothing herein contained shall be so construed as to prevent the General Assembly from adopting either of the aforesaid Banks as the State Bank: and in case either of them shall be adopted as the State Bank, the other may become a branch, under the rules and regulations herein before prescribed.

ARTICLE XI

1st. Every person who shall be chosen, or appointed to any office of trust or profit, under the authority of this state, shall, before entering on the duties of said office, take an oath or affirmation, before any person lawfully authorised to administer oaths, to support the constitution of the united States, and the constitution of this state, and also an oath of office.

2d. Treason against this state, shall consist only in levying war against it, in adhering to its enemies, or giving them aid and comfort.

3d. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

4th. The manner of administering an oath, or affirmation, shall be such as is most consistent with the conscience of the deponent, and shall be esteemed the most solemn appeal to God.

5th. Every person shall be disqualified from serving as Governor, Lieutenant Governor, Senator, or Representative, for the term for which he shall have been elected, who shall have been convicted of having given, or offered, any bribe, treat, or reward to procure his election.

6th. All officers shall reside within the state; and all District, County, or Town officers, within their respective Districts, Counties, or towns (the trustees of the town of Clarksville excepted) and shall keep their respective offices, at such places therein, as may be directed by law; and all Militia officers shall reside within the bounds of the Division, Brigade, Regiment, Battalion or company to which they may severally belong.

7th. There shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted. Nor shall any indenture of any negro or mulatto hereafter made, and executed out of the bounds of this state be of any validity within the state.

8th. No act of the General assembly shall be in force until it shall have been published in print, unless in cases of emergency.

9th. All commissions shall be in the name, and by the authority of the State of Indiana; and sealed with the State Seal, and signed by the Governor, and attested by the secretary of state.

10th. There shall be elected in each county a Recorder, who shall hold his office during the term of seven years, if he shall so long behave well: Provided that nothing herein contained shall prevent the clerks of the circuit Courts from holding the office of recorder.

11th. Corydon, in Harrison County shall be the seat of Government of the state of Indiana, until the year eighteen hundred and twenty-five, and until removed by law.

12. The General assembly, when they lay off any new county, shall not reduce the old county, or counties, from which the same shall be taken to a less content than four hundred square miles.

13. No persons shall hold more than one lucrative office at the same time, except as in this constitution is expressly permitted.

14. No person shall be appointed as a County officer, within any county, who shall not have been a citizen and an inhabitant therein one year next preceding his appointment; if the county shall have been so long erected, but if the county shall not have been so long erected, then within the limits of the county or counties, out of which it shall have been taken.

15. All town, and township officers shall be appointed in such manner as shall be directed by law.

16. The following officers of Government shall not be allowed greater annual salaries, until the year eighteen hundred and nineteen than as follows-- The Governor one thousand dollars. The Secretary of State, four hundred dollars. The Auditor of public accounts four hundred dollars. The Treasurer four hundred dollars. The Judges of the supreme court eight hundred dollars each. The Presidents of the Circuit Courts eight hundred dollars each, and the members of the General assembly, not exceeding two dollars per day each, during their attendance on the same, and two dollars for every twenty five miles they shall severally travel on the most usual route, in going to, and returning from the General assembly: after which time their pay shall be regulated by law. But no law, passed to increase the pay of the members of the General assembly, shall take effect, until after the close of the session at which such law shall have been passed.

17. In order that the boundaries of the state of Indiana may more certainly be known & established; It is hereby ordained and declared,

that the following shall be, and forever remain the boundaries of the said state to wit, Bounded on the east by the meridian line which forms the western boundary of the state of Ohio, On the south by the Ohio river, from the mouth of the Great Miami river, to the mouth of the river Wabash; On the west by a line drawn along the middle of the Wabash river from its mouth to a point, where a due north line drawn from the town of Vincennes, would last touch the northwestern shore of the said Wabash River; and from thence by a due north line until the same shall intersect an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan; On the north by said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the State of Ohio.

ARTICLE XII

Sect. 1st. That no evils or inconvenience may arise from the change of a Territorial Government to a permanent State Government, it is declared by this Convention that all rights, suits, actions, prosecutions, recognizances, contracts, and claims, both as it respects individuals and bodies corporate, shall continue as if no change had taken place in this Government.

Sect. 2. All fines penalties and forfeitures, due, and owing to the Territory of Indiana or any County therein, shall inure to the use of the State or County. All bonds executed to the Governor, or any other officer in his official Capacity in the Territory, shall pass over to the Governor or other officers of the State or County, and their successors in office, for the use of the State or County, or by him or them to be respectively assigned over to the use of those concerned as the cause may be.

Sect. 3. The Governor, secretary, and Judges, and all other officers both civil and military, under the Territorial Government, shall continue in the exercise of the duties of their respective departments, until the said officers are superceded under the authority of this constitution.

Sect. 4. All laws and parts of laws now in force in this Territory not inconsistent with this constitution, shall continue and remain in full force and effect, until they expire or be repealed.

Sect. 5th. The Governor shall use his private seal, until a state seal be procured.

Sect. 6th. The Governor, secretary of state, auditor of public accounts, and Treasurer, shall severally reside and keep all the public records books, and papers in any manner relating to their respective offices, at the seat of Government; provided notwithstanding that nothing herein

contained shall be so construed, as to affect the residence of the Governor for the space of six months, and until buildings suitable for his accommodation, shall be procured at the expence of the state.

Sect. 7th. All suits, pleas, complaints and other proceedings not depending in any Court of record or Justices Courts shall be prosecuted to final Judgement and execution and all appeals, writs of error certiorari injunction or other proceedings whatsoever, shall progress and be carried on in the respective Court or Courts in the same manner as is now provided by law, and all proceedings had therein in as full and complete a manner as if this constitution were not adopted. And appeals and writs of error may be taken from the circuit court, and General Court, now established in the Indiana Territory, to the supreme court, in such manner as shall be provided for by law.

Sect. 8. The President of this convention shall issue writs of election, directed to the several sheriffs of the several Counties, requiring them to cause an election to be held for a Governor, Lieutenant Governor, a Representative to the Congress of the united States, Members of the General Assembly, sheriffs and Coroners, at the respective election districts in each County on the first Monday in August next: which election shall be conducted in the manner prescribed by the existing election laws of the Indiana Territory; and the said Governor, Lieutenant Governor, members of the General Assembly, sheriffs and coroners, then duly elected, shall continue to exercise the duties of their respective offices for the time prescribed by this constitution and until their successor or successors are qualified, and no longer.

Sect. 9. Until the first enumeration shall be made, as directed by this constitution, the County of Wayne shall be entitled to one senator, and three Representatives; the County of Franklin, one senator, and three Representatives; the County of Dearborn, one senator, and two Representatives; the County of Switzerland, one Representative and the County of Jefferson and Switzerland one senator and the County of Jefferson two Representatives; the County of Clark one senator, and three Representatives; the County of Harrison one senator, and three Representatives; the Counties of Washington, Orange, and Jackson one senator and the County of Washington two Representatives; the Counties of Orange and Jackson one Representative each; the County of Knox one senator, and three Representatives; the County of Gibson one senator and two representatives; the Counties of Posey Warrick and Perry one senator, and each of the aforesaid

Counties of Posey, Warrick, and Perry, one Representative.

Sect. 10. All books, records, documents, warrants and papers, appertaining and belonging to the office of the Territorial Treasurer of the Indiana Territory; and all monies therein, and all papers and documents in the office of the Secretary of said Territory, shall be disposed of as the General Assembly of this State may direct.

Sect. 11. All suits, actions, pleas, complaints, prosecutions, and causes whatsoever, and all records, Books, papers and documents now in the General Court, may be transferred to the supreme Court established by this constitution. And all causes, suits, actions, pleas, complaints, and prosecutions whatsoever, now existing or pending in the circuit Courts of this Territory, or which may be therein at the change of Government, and all records, books, papers and documents relating to the said suits, or filed in the said Courts, may be transferred over to the circuit Courts established by this constitution, under such rules and regulations, as the General Assembly may direct. Done in Convention at Corydon, on the twenty-ninth day of June in the year of our Lord eighteen hundred and sixteen, and of the Independence of the United States the fortieth.

