

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 54 Fee: 67.00
BK-0710 PG- 1861 RPTT: 0.00



Assessor's Parcel Number: _____

Recording Requested By:

Name: Joanne - Edwidge

✓ Address: 61329 Highway 395 North,
Ste 10 #237

City/State/Zip Gardnerville, Nevada, (89410)

Real Property Transfer Tax: _____

NOTICE & Affidavit of Non-Prosecution
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

NOTICE & Affidavit of Non-Prosecution:

Page 1 of 3

Habeas-Corpus-ABATEMENT is hereby LODGED

by-cause: Judicial Act 1911: Common law supersedes Admiralty Law;

From autographing-affected-party-in-interest-In-Common Law;

To any/all public or private persons;

NOTICE is hereby given by autographing-affected-party-in-interest; of a "victim of a crime" by **Notice of Federal Tax Lien, Name JOANNE FRAZEL, UNITED STATES TREASURY, 764201 / Serial Number 656169410, and of Misprision of Felony;** USC Title 18, attached by reference, and;

by-cause of disturbing of local Peace and Local People contrary to Local Consent, and;

by-cause of willful trespass of Local law; Treaties, Constitutions; Voluntary-Servitude, and;

by-cause of violation of the 1864 enabling Act **based on and limited to Local People**

Consent: "On the 1st Wednesday of September 1864, the constitution was approved by the vote of the people of the Territory of Nevada, and on October 31, 1864, President Lincoln proclaimed that the State of Nevada was admitted into the Union on an equal footing with the original states", and;

by-cause of violation of Nevada Constitution PREAMBLE:

"We the people of the State of Nevada Grateful to Almighty God for our freedom in order to secure its blessings, insure domestic tranquility, and form a more perfect Government, do establish this CONSTITUTION.", and;

by-cause of violations by State-agency-agents of Nevada Constitution; attached;

Article1: Declaration of Rights:

Sec. 1 Inalienable rights. All men are by Nature free and equal and have certain inalienable rights among which are those of enjoying and defending life and liberty; Acquiring, Possessing and Protecting property and pursuing and **obtaining safety** and happiness.

Sec. 2. Government is instituted **for the protection, security and benefit of the people**; they have the right to alter or reform the same whenever the public good may require it.

Sec. 8.6. Private property **<PERSON'S TIME AND EFFORT>** shall not be taken for public use without just compensation having been first made, or secured,

Sec. 17. Slavery and involuntary servitude prohibited. **<No compensation received>**
Neither Slavery nor involuntary servitude unless for the punishment of crimes shall ever be tolerated in this State. **<Defend-ant—Servitude-Involuntary>**

Sec. 20. Rights retained by people. This enumeration of rights shall not be construed to impair or deny others retained by the people. **<Rights denied and disparaged>**

And by-cause of the above Acts of Violation of the above by State-agency-agents...

And by-cause the State-agency-agents can show NO CAUSE for the above violations of laws...

And by Judicial Act 1911 and USC Title 18 sec. 2 misconduct and misprision of Felony...

the autographing is a "victim of a crime(s)" by State-agency-agents with respect to:

NRS 197 Crimes against Executive Authority,

NRS 197.200 Oppression Under Color of Office

NRS 199 Crimes against Public Justice

Entrapment into Defend-ant-Status Attachment A

Treaty with the Moors c.1787-2010 of Peace and Friendship;

Treaty of Guadalupe Hidalgo of Peace c.1848-2010;

Treaty With Mexico 1848 of Peace: **Treaty Due Process and Habeas Corpus** forever;"

Treaty of Ruby Valley 1863-2010 of Peace & Friendship, between Bands-People-State

And by-cause in jurisdiction of Friendship, friends **DO NOT** deceive-control-plunder others;

And Rectum Rogaire is hereby served: "Do the right thing."

The "real flesh & blood is "I/eye act" as Joanne-Edwidge and NO OTHER God is God and NO OTHER...

Wombman is wombman and NO OTHER

Joanne-Edwidge is Joanne Edwidge and NO OTHER

Witnessed and autographed in Witness Protection by

Joanne Edwidge of family Manckia / Frazel
by Joanne-Edwidge: of family Manckia / Frazel and NO OTHER, All Rights Reserved acting as agent and/or Trustee for the above;

State of Nevada County of Douglas/

This instrument was acknowledged before me on *July 12th 2010*

by Joanne-Edwidge: of family Manckia / Frazel and NO OTHER, All Rights Reserved acting as agent and/or Trustee for the above; using: **c/o 1329 US Highway 395 North, Ste. 10 #237, Gardnerville, Nevada near 89410**

My Commission expires on *2-11-11*

Notary Signature *David Terry* Seal

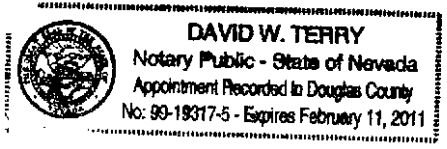


EXHIBIT A - 3 Pages
Assessor's Parcel Number:

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 2 Fee: 15.00
BK-0510 PG- 4742 RPIT: 0.00

Recording Requested By:

Name: Internal Revenue Service

Address: PO BOX 145595

City/State/Zip CINCINNATI, OH 45250

Real Property Transfer Tax: \$

FEDERAL TAX LIEN

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.



Form 668 (Y)(c)
(Rev. February 2004)

Notice of Federal Tax Lien

BK- 0510
PG- 4743
0764201 Page: 2 Of 2 05/25/2010

Area: **SMALL BUSINESS/SELF EMPLOYED AREA #6**
Lien Unit Phone: (800) 913-6050
Serial Number: **656169410**

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer **JOANNE FRAZEL**

Residence **1329 US HWY 395 N STE 10
GARDNERVILLE, NV 89410-7327**

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2000	XXX-XX-6463	05/25/2009	06/24/2019	82944.39
1040	12/31/2001	XXX-XX-6463	04/24/2006	05/24/2016	103903.68
1040	12/31/2001	XXX-XX-6463	05/25/2009	06/24/2019	
1040	12/31/2002	XXX-XX-6463	04/24/2006	05/24/2016	89427.47
1040	12/31/2002	XXX-XX-6463	05/25/2009	06/24/2019	
1040	12/31/2003	XXX-XX-6463	05/25/2009	06/24/2019	69886.23
1040	12/31/2004	XXX-XX-6463	05/25/2009	06/24/2019	94275.43
1040	12/31/2005	XXX-XX-6463	05/25/2009	06/24/2019	105346.59
1040	12/31/2006	XXX-XX-6463	05/25/2009	06/24/2019	45644.88

Place of Filing
**COUNTY RECORDER
DOUGLAS COUNTY
MINDEN, NV 89423**

Total \$ **591428.67**

This notice was prepared and signed at SEATTLE, WA, on this, the 13th day of May, 2010.

Signature *R. A. Mitchell*
for **MICHAEL L. STONE**

Title **REVENUE OFFICER**
(801) 377-5991
26-10-2305

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax Lien)

[Home](#) [Recorded Document Search](#) [Marriage Search](#) [Forms and Documents](#)

Search for a Recorded Document

Name	Date	1st Name of Other Party (Choose the Document for Complete List of Names) Doc#	Book#	Page#
1 FRAZEL, JOANNE FRAZEL, JOANNE	2 UNITED STATES/TREASURY 05/25/2010	764201	510	4742
Document Type: Federal Tax Lien				

[Click here to go back](#)

ADDITIONAL INFORMATION & DISCLAIMER

NOTIFICATION OF CONTENT OF DATABASE

Records indexed online from January 1, 1983 to present. Inquiries relating to documents recorded prior to January 1, 1983 should be mailed to the Douglas County Recorder's Office, Post Office Box 218, Minden, NV 89423 or you may call this office at (775) 782-9025.

© 2010 Douglas County Recorder, Douglas County, Nevada. All rights reserved. 1616 8th Street, PO Box 218, Minden, NV 89423

775-782-9025 · Fax: 775-783-6413

Recorder@co.douglas.nv.us

Office hours 8 - 5 M-F Excluding legal holidays; Counter service 9 - 5 M-F

Photos by [Mike Jarrett](#)

EXHIBIT B - 2 Pages
MANCKIA JOANNE E.
C/O 1329 HIGHWAY 395 N 10-237
GARDNERVILLE NV-89410

Return Method: US Mail
Document Number: 21882790003
Printed on: 08/04/2009 11:19:35



UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

07/29/2009 17:00

CALIFORNIA SECRETARY OF STATE

A. NAME & PHONE OF CONTACT AT FILER [optional]
Joanne E. Manckia 775-624-7776

B. SEND ACKNOWLEDGEMENT TO: (Name and Address)

Joanne E. Manckia
c/o 1329 Highway 395 North 10-237
Gardnerville, Nevada near 89410



THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - Insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME
JOANNE E. MANCKIA, a Trust Entity

OR

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

c/o 1329 HIGHWAY 395 NORTH 10-237 GARDNERVILLE NV 89410 USA

ADD'L INFO RE ORGANIZATION DEBTOR 1a. TYPE OF ORGANIZATION 1b. JURISDICTION OF ORGANIZATION 1c. ORGANIZATIONAL ID#, if any

NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

ADD'L INFO RE ORGANIZATION DEBTOR 2a. TYPE OF ORGANIZATION 2b. JURISDICTION OF ORGANIZATION 2c. ORGANIZATIONAL ID#, if any

NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME

OR

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

Manckia Joanne Edwidge

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

c/o 1329 Highway 395 North 10-237 Gardnerville Nev. near 89410 uSA

4. This FINANCING STATEMENT covers the following collateral:

This is Actual and Constructive Notice that all of DEBTOR'S assets, possessions, land, licenses, resources, personal property and interest, and all of DEBTOR'S rights in said assets, possessions, land, licenses, resources, personal property and interest now owned anywhere or hereafter acquired is hereby accepted as collateral for securing contractual obligation in favor of the Secured party as detailed in a true, complete, notarized Security Agreement (SASA-1354049212JEF) in the possession of the Secured Party.

NOTICE: In accordance with UCC - Property - this is the entry of the Debtor in the Commercial Registry as a transmitting utility and the following property is hereby registered in the same as public notice of a commercial transaction: Certification of Birth Document Birth No. 112-47-0095874; Employer Identification #80-0447918; Personal UCC Contract Trust and/or Setoff Account (pending) in the amount of \$ unlimited; Twenty Two Dollars (\$22) Silver Dollars.

5. ALTERNATIVE DESIGNATION (if applicable): LESSEE/LESSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING

6. This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) **7.** Check to REQUEST SEARCH REPORT(S) on Debtor(s) All Debtors Debtor 1 Debtor 2 (optional) [ADDITIONAL FEE]

8. OPTIONAL FILER REFERENCE DATA

Secured Party: By: *Joanne Edwidge Manckia*

Exhibit C 3 Pages

MISPRISION OF FELONY: U.S. CODE, TITLE 18, PART 1, CHAPTER 1, SECTION 4:

'Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some Judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both'.

Sec. 2. Principals

- (a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.
- (b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

AMENDMENTS

1951 - Subsec. (a). Act Oct. 31, 1951, inserted "punishable as".
 Subsec. (b). Act Oct. 31, 1951, inserted "willfully" before "causes", and "or another" after "him", and substituted "is punishable as a principal" for "is also a principal and punishable as such".

Last modified: April 13, 2006

CITE 18 USC Sec. 201

01/05/2009

EXPCITE

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 11 - BRIBERY, GRAFT, AND CONFLICTS OF INTEREST

HEAD Sec. 201. Bribery of public officials and witnesses **STATUTE**

- (a) For the purpose of this section -
 - (1) the term "public official" means Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, or a juror;
 - (2) the term "person who has been selected to be a public official" means any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed; and
 - (3) the term "official act" means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in such official's official capacity,

or in such official's place of trust or profit.

(b) Whoever -

- (1) directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent -
 - (A) to influence any official act; or (B) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or
 - (C) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;
- (2) being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:
 - (A) being influenced in the performance of any official act;
 - (B) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or
 - (C) being induced to do or omit to do any act in violation of the official duty of such official or person;
- (3) directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom;
- (4) directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for being influenced in testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom; shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(c) Whoever -

- (1) otherwise than as provided by law for the proper discharge of official duty -
 - (A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or
 - (B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty,

directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

(2) directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of such person's absence therefrom;

(3) directly or indirectly, demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon any such trial, hearing, or other proceeding, or for or because of such person's absence therefrom; shall be fined under this title or imprisoned for not more than two years, or both.

(d) Paragraphs (3) and (4) of subsection (b) and paragraphs (2) and (3) of subsection (c) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or in the case of expert witnesses, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying. (e) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections 1503, 1504, and 1505 of this title.

SOURCE

(Added Pub. L. 87-849, Sec. 1(a), Oct. 23, 1962, 76 Stat. 1119; amended Pub. L. 91-405, title II, Sec. 204(d)(1), Sept. 22, 1970, 84 Stat. 853; Pub. L. 99-646, Sec. 46(a)-(1), Nov. 10, 1986, 100 Stat. 3601-3604; Pub. L. 103-322, title XXXIII, Secs. 330011(b), 330016(2)(D), Sept. 13, 1994, 108 Stat. 2144, 2148.)

PRIOR PROVISIONS

A prior section 201, act June 25, 1948, ch. 645, 62 Stat. 691, prescribed penalties for anyone who offered or gave anything of value to an officer or other person to influence his decisions, prior to the general amendment of this chapter by Pub. L. 87-849, and is substantially covered by revised section 201.

Exhibit D *2 Pages*

The Crime of Entrapment

Vanity Fair December 2009 Issue No. 592, Pages 248-249

The first Entrapment Defense upheld by the U.S. Supreme Court was in 1932

Randall Sorrels was convicted of selling whiskey in his home in Clyde, North Carolina.

Even though rebuffed by Randall several times, the “agent” posing as a friend’s army friend; enticed, induced, pleaded, and persisted in persuading Randall even though Randall was **NOT INCLINED** to do so.

Writing for the other justices, Chief Justice Charles Evans, called the methods used in his case as a **“prostitution of the criminal law.”**

He noted that the crime for which Sorrels was prosecuted by the government was the **“product of the creativity of its own officials.”**

Since that ruling, the issue of entrapment has come before the Supreme Court several times, and the arguments have traditionally become known as the “subjective” and the “objective tests.

The subjective test for entrapment considered primarily the defendant’s state of mind: Was the subject inclined to commit the crime anyway?

The objective test centered more on the action of the investigators: were their methods sufficient to induce an otherwise law abiding citizen to commit a crime?

The most recent ruling on entrapment, in 1992, went a way to knocking down the subjective test.

In 1982 a man ordered a magazine that did not exist! The *Boys Who Love Boys* magazine was the invention of the postal service. When Keith Jacobson went to the post office to pick up the magazine, he was arrested.

His conviction was overturned by the Supreme Court. In the majority opinion, Justice Byron White wrote, **“In their zeal to enforce the law . . . Government**
Writing for the other justices, Chief Justice Charles Evans, called the methods used in his case as a **“prostitution of the criminal law.”**

He noted that the crime for which Sorrels was prosecuted by the government was the **“product of the creativity of its own officials.”**

Since that ruling, the issue of entrapment has come before the Supreme Court several times, and the arguments have traditionally become known as the “subjective” and the “objective tests.

The subjective test for entrapment considered primarily the defendant’s state of mind: Was the subject inclined to commit the crime anyway?

The objective test centered more on the action of the investigators: were their methods sufficient to induce an otherwise law abiding citizen to commit a crime?

The most recent ruling on entrapment, in 1992, went a way to knocking down the subjective test.

In 1982 a man ordered a magazine that did not exist! The *Boys Who Love Boys* magazine was the invention of the postal service. When Keith Jacobson went to the post office to pick up the magazine, he was arrested.

His conviction was overturned by the Supreme Court. In the majority opinion, Justice Byron White wrote, **“In their zeal to enforce the law . . . Government agents may not originate a criminal design, implant an innocent person’s mind the disposition to commit a criminal act, and then induce commission of the crime so that the Government may prosecute.”**

The justices did not address either the subject or objective tests directly, but they made it clear that predisposition alone did not mean guilt, **particularly if the crime was suggested by police to begin with.**

This brings us to legislative/police suggestion of **False Assignment of Crime without a “victim”**

Exhibit E 13 Pages

**MISPRISION OF FELONY: U.S. CODE, TITLE 18, PART 1,
CHAPTER 1, SECTION 4:**

'Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some Judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both'.

Sec. 2. Principals

- (a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.**
- (b) Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.**

AMENDMENTS

1951 – Subsec. (a). Act Oct. 31, 1951, inserted “punishable as”. Subsec. (b). Act Oct. 31, 1951, inserted “willfully” before “causes”, and “or another” after “him”, and substituted “is punishable as a principal” for “is also a principal and punishable as such”.

Last modified: April 13, 2006

CITE 18 USC Sec. 201

01/05/2009

EXCITE

**Title 18 – CRIMES AND CRIMINAL PROCEDURE
PART 1 – CRIMES
CHAPTER 11 – BRIBERY, GRAFT, AND CONFLICTS OF INTEREST**

HEAD Sec. 201. Bribery of public officials and witnesses

STATUTE

- (a) For the purpose of this section –**
 - (1) the term “public official” means Member of Congress, Delegate, or Resident commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, or a juror;**

(2) the term "person who has been selected to be a public official" means any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed; and

(3) the term "official act" means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in such official's official capacity, or in such official's place of trust or profit.

(b) Whoever-

(1) directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent -

(A) to influence any official act; or

(B) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;

(2) being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

(A) being influenced in the performance of any official act;

(B) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) being induced to do or omit to do any act in violation of the official duty of such official or person;

(3) directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom;

(4) directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for being influenced in testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom;

shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(b) Whoever -

(1) otherwise than as provided by law for the proper discharge of official duty -

(A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or
(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

(2) directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of such person's absence therefrom;

(3) directly or indirectly, demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon any such trial, hearing, or other proceeding, or for or because of such person's absence therefrom; shall be fined under this title or imprisoned for not more than two years, or both.

(d) Paragraphs (3) and (4) of subsection (b) and paragraphs (2) and (3) of subsection (c) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or in the case of expert witnesses, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying.

(c) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections 1503, 1504, and 1505 of this title.

SOURCE

(Added Pub. L. 87-849, Sec. 1(a), Oct. 23, 1962, 76 Stat. 1119; amended Pub. L. 91-405, title II, Sec. 204(d)(1), Sept. 22, 1970, 84 Stat. 853; Pub. L. 99-646, Sec. 46(a)-(1), Nov. 10, 1986, 100 Stat. 3601-3604; Pub. L. 103-322, title XXXIII, Secs. 330011(b), 330016(2)(D), Sept. 13, 1994, 108 Stat. 2144, 2148.)

PRIOR PROVISIONS

A prior section 201, act June 25, 1948, ch. 645, 62 Stat. 691, prescribed penalties for anyone who offered or gave anything of value to an officer or other person to influence his decisions, prior to the general amendment of this chapter by Pub. L. 87-849, and is substantially covered by revised section 201.

Exhibit F

THE CONSTITUTION OF THE STATE OF NEVADA

[The Nevada constitution was framed by a convention of delegates chosen by the people. The convention met at Carson City on July 2, 1864, and adjourned on July 28 of the same year. On the 1st Wednesday of September 1864, the constitution was approved by the vote of the people of *the Territory of Nevada, and on October 31, 1864, President Lincoln proclaimed* that the State of Nevada was admitted into the Union on an equal footing with the original states.

The literal text of the original, signed copy of the constitution filed in the office of the *secretary of state has been retained, unless it has been repealed or superseded* by amendment. Where the original text has been amended or where a new provision has been added to the original constitution, the source of the amendment or addition is indicated in the source note immediately following the text of the amended or new section. Leadlines for sections have been supplied by the Legislative counsel of the State of Nevada.]

PREAMBLE

We the people of the State of Nevada Grateful to Almighty god for our freedom in order to *secure its blessings, insure domestic tranquility, and form a more perfect Government,* do establish this CONSTITUTION.

ARTICLE. 1. – Declaration of rights.

- Sec. . Inalienable rights.
- . Purpose of government; paramount allegiance to United States.
 - . Trial by jury; waiver in civil cases.
 - . Liberty of conscience.
 - . Suspension of habeas corpus.
 - . Excessive bail and fines; cruel or unusual punishments; detention of witnesses.
 - . Bail; exception for capital offenses and certain murders.

. Rights of accused in criminal prosecutions; jeopardy; rights of victims of crime; due process of law; eminent domain. [Effective through November 22, 2010, and after that date unless the proposed amendment is approved and ratified by the voters at the 2010 General Election.]

. Rights of accused in criminal prosecutions; jeopardy; rights of victims of crime; due process of law; eminent domain. [Effective November 23, 2010, if the proposed amendment is approved and ratified by the voters at the 2010 General Election.]

- . Liberty of speech and the press.
- . Right to assemble and to petition.
- . Right to keep and bear arms; civil power supreme.
- . Quartering soldier in private house.
- . Representation apportioned according to population.
- . Exemption of property from execution; imprisonment for debt.
- . Bill of attainder; ex post facto law; obligation of contract.
- . Rights of foreigners. [Repealed in 1924.]
- . slavery and involuntary servitude prohibited.
- . Unreasonable seizure and search; issuance of warrants.
- . Treason.
- . Rights retained by people.
- . Limitation on recognition of marriage.

. Eminent domain proceedings: Restrictions and requirements. [Effective through November 22, 2010, and after that date unless the proposed repeal is approved and ratified by the voters at the 2010 General Election.]

Section. 1. Inalienable rights. All men are by Nature free and equal and have certain inalienable *rights among which are those of enjoying and defending life and liberty; Acquiring, Possessing and Protecting property* and pursuing and obtaining safety and happiness[.]

Sec. 2. Purpose of government; paramount allegiance to United States. All political power is inherent in the people[.] Government is instituted for the protection, security and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. but the Paramount allegiance of every citizen is due to the Federal government in the exercise of all its Constitutional powers as the same have been or may be defined by the Supreme Court of the United States; and no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith or perform any act tending to impair[.] subvert, or resist the Supreme Authority of the government of the United States. The Constitution of the United States confers full power on the Federal government to maintain and Perpetuate its existence [existence]. And whensoever any portion of the States, or people thereof attempt to secede from the Federal Union, or forcibly resist the Execution of its laws, the Federal Government may, by warrant of the Constitution, employ armed force in compelling obedience to its Authority.

Sec. 3. Trial by jury; waiver in civil cases. The right of trial by Jury shall be secured to all and remain inviolate forever; but a Jury trial may be waived by the parties in all civil cases in the manner to be prescribed by law; and in civil cases, if three fourths of the Jurors agree upon a verdict it shall stand and have the same force and effect as a verdict by the whole Jury, Provided, the Legislature by a law passed by a two thirds vote of all the members elected to each branch *thereof may require a unanimous verdict notwithstanding this Provision.*

Sec. 4. Liberty of conscience. The free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed this State, and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief, but the liberty of conscience [conscience] hereby secured, shall not be so construed, as to excuse acts of licentiousness or justify practices inconsistent with the peace, or safety of this State.

Sec. 5. Suspension of habeas corpus. The privilege of the writ of Habeas Corpus, shall not be suspended unless when in cases of rebellion or invasion of public safety may require its suspension.

Sec. 6. Excessive bail and fines; cruel or unusual punishments; detention of witnesses. Excessive bail shall not be required, no excessive fines imposed, nor shall cruel or unusual punishment be inflicted, nor shall witnesses be unreasonably detained.

Sec. 7. Bail; exception for capital offenses and certain murders. All personal shall be bailable by sufficient sureties; unless for Capital Offenses or murders punishable by life imprisonment without possibility of parole when the proof is evident or the presumption great.

[Amended in 1980. Proposed and passed by the 1977 legislature; agreed to and passed by the 1979 legislature; and approved and ratified by the people at the 1980 general election. See: Statutes of Nevada 1977. p. 1697; Statutes of Nevada 1979, p. 1941.]

Sec. 8. Rights of accused in criminal prosecutions; jeopardy; rights of victims of crimes, due process of law; eminent domain.

[Effective through November 22, 2010, and after that date unless the proposed amendment is approved and ratified by the voters at the 2010 General Election.]

1. *No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service and the land and naval forces in time of war, or which this State may keep, with the consent of congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or Attorney General of the State, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself.*

2. The Legislature shall provide by law for the rights of victims of crime, personally or through a representative, to be:

(a) Informed, upon written request, of the status or disposition of a criminal proceeding at any stage of the proceeding;

(b) Present at all public hearings involving the critical stages of a criminal proceeding; and

(c) Heard at all proceedings for the sentencing or release of a convicted person after trial.

3. Except as otherwise provided in subsection 4, no person may maintain an action against the state or any public officer or employee for damages or injunctive, declaratory or other legal or equitable relief on behalf of a victim of a crime as a result of a violation of any statute enacted by the legislature pursuant to subsection 2. No such violation authorizes setting aside a conviction or sentence or continuing or postponing a criminal proceeding.

4. A person may maintain an action to compel a public officer or employee to carry out any duty required by the legislature pursuant to subsection 2.

5. No person shall be deprived of life, liberty, or property, without due process of law.

6. Private property shall not be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

[Amended in 1912 and 1996. The first amendment was proposed and passed by the 1909 legislature; agreed to and passed by the 1911 legislature; and approved and ratified by the people at the 1912 general election. See: Statutes of Nevada 1909, p. 346; Statutes of Nevada 1911, p. 454. The second amendment was proposed and passed by the 1993 legislature; agreed to and passed by the 1995 legislature; and approved and ratified by the people at the 1996 general election. See: Statutes of Nevada 1993, p. 3065; Statutes of Nevada 1995, p. 2880.]

Sec. 8. Rights of accused in criminal prosecutions; jeopardy; rights of victims of crime; due process of law; eminent domain. [Effective November 23, 2010, if the proposed amendment is approved and ratified by the voters at the 2010 General Election.]

1. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service and the land and naval forces in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or Attorney General of the State, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself.

2. The Legislature shall provide by law for the rights of victims of crime, personally or through a representative, to be:

(a) Informed, upon written request, of the status or disposition of a criminal proceeding at any stage of the proceeding;

(b) Present at all public hearings involving the critical stages of a criminal proceeding; and

(c) Heard at all proceedings for the sentencing or release of a convicted person after trial.

3. Except as otherwise provided in subsection 4, no person may maintain an action against the State or any public officer or employee for damages or injunctive, declaratory or other legal or equitable relief on behalf of a victim of a crime as a result of a violation of any statute enacted by the Legislature pursuant to subsection 2. No such violation authorizes setting aside a conviction or sentence or continuing or postponing a criminal proceeding.

4. A person may maintain an action to compel a public officer or employee to carry out any duty required by the Legislature pursuant to subsection 2.

5. No person shall be deprived of life, liberty, or property, without due process of law.

6. Private property shall not be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

7. Except as otherwise provided in paragraphs (a) to (e), inclusive, the public uses for which private property may be taken do not include the direct or indirect transfer of any interest in the property to another private person or entity. A transfer of property taken by the exercise of eminent domain to another private person or entity is a public use in the following circumstances:

(a) The entity that took the property transfers the property to a private person or entity and the private person or entity uses the property primarily to benefit a public service, including, without limitation, a utility, railroad, public transportation project, pipeline, road, bridge, airport or facility that is owned by a governmental entity.

(b) The entity that took the property leases the property to a private person or entity that occupies an incidental part of an airport or a facility that is owned by a governmental entity and, before leasing the property:

(1) Uses its best efforts to notify the person from whom the property was taken that the property will be leased to a private person or entity that will occupy an incidental part of an airport or a facility that is owned by a governmental entity; and

(2) Provides the person from whom the property was taken with an opportunity to bid or propose on any such lease.

(c) The entity:

(1) Took the property in order to acquire property that was abandoned by the owner, abate an immediate threat to the safety of the public or remediate hazardous waste; and

(2) Grants a right of first refusal to the person from whom the property was taken that allows that person to reacquire the property on the same terms and conditions that are offered to the other private person or entity.

(d) The entity that took the property exchanges it for other property acquired or being acquired by eminent domain or under the threat of eminent domain for roadway or highway purposes, to relocate public or private structures or to avoid payment of excessive compensation or damages.

(e) The person from whom the property is taken consents to the taking.

8. In all actions in eminent domain:

(a) Before the entity that is taking property obtains possession of the property, the entity shall give to the owner of the property a copy of all appraisals of the property obtained by the entity.

(b) At the occupancy hearing, the owner of the property that is the subject of the action is entitled, at the property owner's election, to a separate and distinct determination as to whether the property is being taken for a public use.

(c) The entity that is taking property has the burden of proving that the taking is for a public use.

(d) Except as otherwise provided in this paragraph, neither the entity that is taking property nor the owner of the property is liable for the attorney's fees of the other party. This paragraph does not apply in an inverse condemnation action if the owner of the property that is the subject of the action makes a request for attorney's fees from the other party to the action.

9. Except as otherwise provided in this subsection, if a court determines that a taking of property is for public use, the taken or damaged property must be valued at its highest and best use without considering any future dedication requirements imposed by the entity that is taking the property. If property is taken primarily for a profit-making purpose, the property must be valued at the use to which the entity that is taking the property intends to put the property, if such use results in a higher value for the property.

10. In all actions in eminent domain, fair market value is the highest price, on the date of valuation, that would be agreed to by a seller, who is willing to sell on the open market and has reasonable time to find a purchaser, and a buyer, who is ready, willing and able to buy, if both the seller and the buyer had full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

11. In all actions in eminent domain, just compensation is that sum of money necessary to place the property owner in the same position monetarily as if the property had never been taken, excluding any governmental offsets except special benefits. Special benefits may only offset severance damages and may not offset the value for the property. Just compensation for the property taken by the exercise of eminent domain must include, without limitation, interest and reasonable costs and expenses, except attorney's fees, incurred by the owner of the property that is the subject of the action. The district court shall determine, in a post trial hearing, the award of interest and award as interest the amount of money which will put the person from whom the property is taken in as good a

position monetarily as if the property had not been taken. The district court shall enter an order concerning:

- (a) The date on which the computation of interest will commence;
- (b) The rate of interest to be used to compute the award of interest, which must not be less than the prime rate of interest plus 2 percent; and
- (c) Whether the interest will be compounded annually.

12. Property taken by the exercise of eminent domain must be offered to and reverts to the person from whom the property was taken upon repayment of the original purchase price if, within 15 years after obtaining possession of the property, the entity that took the property:

- (a) Fails to use the property for the public use for which the property was taken or for any public use reasonably related to the public use for which the property was taken; or
- (b) Seeks to convey any right, title or interest in all or part of the property to any other person and the conveyance is not occurring pursuant to subsection 7.

The entity that has taken the property does not fail to use the property under paragraph (a) if the entity has begun active planning for or design of the public use, the assembling of land in furtherance of planning for or design of the public use or construction related to the public use.

13. If any provision of subsections 7 to 12, inclusive, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or application of subsections 7 to 12, inclusive, which can be given effect without the invalid provision or application, and to this end the provisions of subsections 7 to 12, inclusive, are declared to be severable.

14. The provisions of subsections 7 to 12, inclusive, apply to an action in eminent domain that is filed on or after January 1, 2011.

[Amended in 1912 and 1996. The first amendment was proposed and passed by the 1909 legislature; agreed to and passed by the 1911 legislature; and approved and ratified by the people at the 1912 general election. See: Statutes of Nevada 1909, p. 346; Statutes of Nevada 1911, p. 454. The second amendment was proposed and passed by the 1993 legislature; agreed to and passed by the 1995 legislature; and approved and ratified by the people at the 1996 general election. See: Statutes of Nevada 1993, p. 3065; Statutes of Nevada 1995, p. 2880.]—(Proposed amendment passed by the 2007 Legislature; agreed to and passed by the 2009 Legislature; effective November 23, 2010, if approved and ratified by the voters at the 2010 General Election. See Statutes of Nevada 2007, p. 3595; Statutes of Nevada 2009, p. 3213.)

Sec: 9. Liberty of speech and the press. Every citizen may freely speak, write and publish his sentiments on all subjects being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions and civil actions for libels, the truth may be given in evidence to the Jury; and if it shall appear to the Jury that the matter charged as libelous is true and was published with good motives and for justifiable ends, the party shall be acquitted or exonerated.

Sec: 10. Right to assemble and to petition. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives and to petition the Legislature for redress of Grievances.

Sec. 11. Right to keep and bear arms; civil power supreme.

1. Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes.

2. The military shall be subordinate to the civil power; No standing army shall be maintained by this State in time of peace, and in time of War, no appropriation for a standing army shall be for a longer time than two years.

[Amended in 1982. Proposed and passed by the 1979 legislature; agreed to and passed by the 1981 legislature; and approved and ratified by the people at the 1982 general election. See: Statutes of Nevada 1979, p. 1986; Statutes of Nevada 1981, p. 2083.]

Sec: 12. Quartering soldier in private house. No soldier shall, in time of Peace be quartered in any house without the consent of the owner, nor in time of War, except in the manner to be prescribed by law.

Sec: 13. Representation apportioned according to population. Representation shall be apportioned according to population.

Sec: 14. Exemption of property from execution; imprisonment for debt.

The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; And there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned [imprisoned] for a Militia fine in time of Peace.

Sec: 15. Bill of attainder; ex post facto law; obligation of contract. No bill of attainder, ex-post-facto law, or law impairing the obligation of contracts shall ever be passed.

Sec: 16. Rights of foreigners. [Repealed in 1924.]

[Sec. 16 of the original constitution was repealed by vote of the people at the 1924 general election. See: Statutes of Nevada 1921, p. 416; Statutes of Nevada 1923, p. 407. The original section read: "Foreigners who are, or who may hereafter become Bona-fide residents of this State, shall enjoy the same rights, in respect to the possession, enjoyment and inheritance of property, as native born citizens."]

Sec: 17. Slavery and involuntary servitude prohibited. Neither Slavery nor involuntary servitude unless for the punishment of crimes shall ever be tolerated in this State.

Sec. 18. Unreasonable seizure and search; issuance of warrants. The right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by Oath or Affirmation, particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Sec: 19. Treason. Treason against the State shall consist only in levying war against it, adhering to its enemies or giving them Aid and Comfort. And 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.

Sec: 20. Rights retained by people. This enumeration of rights shall not be construed to impair or deny others retained by the people.

Sec: 21. Limitation on recognition of marriage. Only a marriage between a male and female person shall be recognized and given effect in this state. [Added in 2002. Proposed by initiative petition and approved and ratified by the people at the 2000 and 2002 general elections.]

Sec. 22. Eminent domain proceedings: Restrictions and requirements. [Effective through November 22, 2010, and after that date unless the proposed repeal is approved and ratified by the voters at the 2010 General Election.] Notwithstanding any other provision of this Constitution to the contrary:

1. Public use shall not include the direct or indirect transfer of any interest in property taken in an eminent domain proceeding from one private party to another private party. In all eminent domain actions, the government shall have the burden to prove public use.

2. In all eminent domain actions, prior to the government's occupancy, a property owner shall be given copies of all appraisals by the government and shall be entitled, at the property owner's election, to a separate and distinct determination by a district court jury, as to whether the taking is actually for a public use.

3. If a public use is determined, the taken or damaged property shall be valued at its highest and best use without considering any future dedication requirements imposed by the government. If private property is taken for any proprietary governmental purpose, then the property shall be valued at the use to which the government intends to put the property, if such use results in a higher value for the land taken.

4. In all eminent domain actions, just compensation shall be defined as that sum of money, necessary to place the property owner back in the same position, monetarily, without any governmental offsets, as if the property had never been taken. Just compensation shall include, but is not limited to, compounded interest and all reasonable costs and expenses actually incurred.

5. In all eminent domain actions where fair market value is applied, it shall be defined as the highest price the property would bring on the open market.

6. Property taken in eminent domain shall automatically revert back to the original property owner upon repayment of the original purchase price, if the property is not used within five years for the original purpose stated by the government. The five years shall begin running from the date of the entry of the final order of condemnation.

7. A property owner shall not be liable to the government for attorney fees or costs in any eminent domain action.

8. For all provisions contained in this section, government shall be defined as the State of Nevada, its political subdivisions, agencies, any public or private agent acting on their behalf, and any public or private entity that has the power of eminent domain.

9. Any provision contained in this section shall be deemed a separate and freestanding right and shall remain in full force and effect should any other provision contained in this section be stricken for any reason.

[Added in 2008. Proposed by initiative petition and approved and ratified by the people at the 2006 and 2008 General Elections.]—(Proposed repeal passed by the 2007 Legislature; agreed to and passed by the 2009 Legislature; effective November 23, 2010, if approved and ratified by the voters at the 2010 General Election. See Statutes of Nevada 2007, p. 3598; Statutes of Nevada 2009, p. 3216.)

God is God and no other...

wombman is wombman and no other...

man is man and no other...

and we are One and part of God

but we are not apart from God

let he who is without sin...be without sin [victim-less-crimes?]

Rights are retained by the people...and shall not be denied or disparaged...c.1789-1864-2010...

Rights are natural-inherent and are used or lost...

to the Ty-rant-us-sore-REX crown & Pope...or Real e-State...the Royal-State of UCC c.1213-2010...

State-Agency-Agents are bond-servants limited to terms of contract or they are outside law, out-laws! Rectum Rogare is only fair!

Local-Law on Local-Land by Local-consent by Local Peoples is Law of God and Man...

Treaty with the Western Shoshoni c.1863-1866-1869-2010, 18 Statutes at Large 689:
"Treaty of Peace and Friendship made at Ruby Valley, in the Territory of Nevada..."

Treaty with Mexico c.1848-2010... Due Process and Habeas Corpus of Peace is ours to use
FREELY!

Treaty of Peace, Friendship, Navigation and Commerce Between the United States and
Venezuela c.1836-2010...

Live Long and prosper in Peace and Friendship...**and no other!**

EXHIBIT 3 Treaty of Peace and Friendship

Treaty of Peace and Friendship, with additional article; also Ship-Signals Agreement. The treaty was sealed at Morocco with the seal of the Emperor of Morocco June 23, 1786 (25 Shaban, A. H. 1200), and delivered to Thomas Barclay, American Agent, June 28, 1786 (1 Ramadan, A. H. 1200). Original in Arabic. The additional article was signed and sealed at Morocco on behalf of Morocco July 15, 1786 (18 Ramadan, A. H. 1200). Original in Arabic. The Ship-Signals Agreement was signed at Morocco July 6, 1786 (9 Ramadan, A. H. 1200). Original in English. Certified English translations of the treaty and of the additional article were incorporated in a document signed and sealed by the Ministers Plenipotentiary of the United States, Thomas Jefferson at Paris January 1, 1787, and John Adams at London January 25, 1787. Treaty and additional article ratified by the United States July 18, 1787. As to the ratification generally, see the notes. Treaty and additional article proclaimed July 18, 1787.

Ship-Signals Agreement not specifically included in the ratification and not proclaimed; but copies ordered by Congress July 23, 1787, to be sent to the Executives of the States (Secret Journals of Congress, IV, 869; but see the notes as to this reference).

[Certified Translation of the Treaty and of the Additional Article, with Approval by Jefferson and Adams)

To all Persons to whom these Presents shall come or be made known- Whereas the United States of America in Congress assembled by their Commission bearing date the twelfth day of May One thousand Seven hundred and Eighty four thought proper to constitute John Adams, Benjamin Franklin and Thomas Jefferson their Ministers Plenipotentiary, giving to them or a Majority of them full Powers to confer, treat & negotiate with the Ambassador, Minister or Commissioner of His Majesty the Emperor of Morocco concerning a Treaty of Amity and Commerce, to make & receive propositions for such Treaty and to conclude and sign the same, transmitting it to the United States in Congress assembled for their final Ratification, And by one other (commission bearing date the Eleventh day of March One thousand Seven hundred & Eighty five did further empower the said Ministers Plenipotentiary or a majority of them, by writing under the* hands and Seals to appoint such Agent in the said Business as they might think proper with Authority under the directions and Instructions of the said Ministers to commence & prosecute the said Negotiations & Conferences for the said Treaty provided that the said Treaty should be signed by the said Ministers: And Whereas, We the said John Adams & Thomas Jefferson two of the said Ministers Plenipotentiary (the said Benjamin Franklin being absent) by writing under the Hand and Seal of the said John Adams at London October the fifth, One thousand Seven hundred and Eighty five, & of the said Thomas Jefferson at Paris October the Eleventh of the same Year, did appoint Thomas Barclay, Agent in the Business aforesaid, giving him the Powers therein, which by the said second Commission we were authorized to give, and the said Thomas Barclay in pursuance thereof, hath arranged Articles for a Treaty of Amity and Commerce between the United States of America and His Majesty the Emperor of Morocco, which Articles written in the Arabic Language, confirmed by His said Majesty the Emperor of Morocco & seal'd with His Royal Seal, being translated into

the Language of the said United States of America, together with the Attestations without paying any Duty whatever.

.9.

If any Vessel of the United States shall be cast on Shore on any Part of our Coasts, she shall remain at the disposition of the Owners and no one shall attempt going near her without their Approbation, as she is then considered particularly under our Protection; and if any Vessel of the United States shall be forced to put into our Ports, by Stress of weather or otherwise, she shall not be compelled to land her Cargo, but shall remain in tranquillity untill the Commander shall think proper to proceed on his Voyage.

.10.

If any Vessel of either of the Parties shall have an engagement with a Vessel belonging to any of the Christian Powers within gunshot of the Forts of the other, the Vessel so engaged shall be defended and protected as much as possible untill she is in safety; And if any American Vessel shall be cast on shore on the Coast of Wadnoon (1) or any coast thereabout, the People belonging to her shall be protected, and assisted untill by the help of God, they shall be sent to their Country.

.11.

If we shall be at War with any Christian Power and any of our Vessels sail from the Ports of the United States, no Vessel belonging to the enemy shall follow untill twenty four hours after the Departure of our Vessels; and the same Regulation shall be observed towards the American Vessels sailing from our Ports.- be their enemies Moors or Christians.

.12.

If any Ship of War belonging to the United States shall put into any of our Ports, she shall not be examined on any Pretence whatever, even though she should have fugitive Slaves on Board, nor shall the Governor or Commander of the Place compel them to be brought on Shore on any pretext, nor require any payment for them.

.13.

If a Ship of War of either Party shall put into a Port of the other and salute, it shall be returned from the Fort, with an equal Number of Guns, not with more or less.

.14.

The Commerce with the United States shall be on the same footing as is the Commerce with Spain or as that with the most favored Nation for the time being and their Citizens shall be respected and esteemed and have full Liberty to pass and repass our Country and Sea Ports whenever they please without interruption.

.15.

Merchants of both Countries shall employ only such interpreters, & such other Persons to assist them in their Business, as they shall think proper. No Commander of a Vessel shall transport his Cargo on board another Vessel, he shall not be detained in Port, longer than he may think proper, and all persons employed in loading or unloading Goods or in any other Labor whatever, shall be paid at the Customary rates, not more and not less.

.16.

In case of a War between the Parties, the Prisoners are not to be made Slaves, but to be exchanged one for another, Captain for Captain, Officer for Officer and one private Man for another; and if there shall prove a deficiency on either side, it shall be made up by the payment of one hundred Mexican Dollars for each Person wanting; And it is agreed that all Prisoners shall be exchanged in twelve Months from the Time of their being taken, and that this exchange may be effected by a

Merchant or any other Person authorized by either of the Parties.

.17.

Merchants shall not be compelled to buy or Sell any kind of Goods but such as they shall think proper; and may buy and sell all sorts of Merchandise but such as are prohibited to the other Christian Nations.

.18.

All goods shall be weighed and examined before they are sent on board, and to avoid all detention of Vessels, no examination shall afterwards be made, unless it shall first be proved, that contraband Goods have been sent on board, in which Case the Persons who took the contraband Goods on board shall be punished according to the Usage and Custom of the Country and no other Person whatever shall be injured, nor shall the Ship or Cargo incur any Penalty or damage whatever.

.19.

No vessel shall be detained in Port on any presence whatever, nor be obliged to take on board any Article without the consent of the Commander, who shall be at full Liberty to agree for the Freight of any Goods he takes on board.

.20.

If any of the Citizens of the United States, or any Persons under their Protection, shall have any disputes with each other, the Consul shall decide between the Parties and whenever the Consul shall require any Aid or Assistance from our Government to enforce his decisions it shall be immediately granted to him.

.21.

If a Citizen of the United States should kill or wound a Moor, or on the contrary if a Moor shall kill or wound a Citizen of the United States, the Law of the Country shall take place and equal Justice shall be rendered, the Consul assisting at the Tryal, and if any Delinquent shall make his escape, the Consul shall not be answerable for him in any manner whatever.

.22.

If an American Citizen shall die in our Country and no Will shall appear, the Consul shall take possession of his Effects, and if there shall be no Consul, the Effects shall be deposited in the hands of some Person worthy of Trust, untill the Party shall appear who has a Right to demand them, but if the Heir to the Person deceased be present, the Property shall be delivered to him without interruption; and if a Will shall appear, the Property shall descend agreeable to that Will, as soon as the Consul shall declare the Validity thereof.

.23.

The Consuls of the United States of America shall reside in any Sea Port of our Dominions that they shall think proper; And they shall be respected and enjoy all the Privileges which the Consuls of any other Nation enjoy, and if any of the Citizens of the United States shall contract any Debts or engagements, the Consul shall not be in any Manner accountable for them, unless he shall have given a Promise in writing for the payment or fulfilling thereof, without which promise in Writing no Application to him for any redress shall be made.

.24.

If any differences shall arise by either Party infringing on any of the Articles of this Treaty, Peace and Harmony shall remain notwithstanding in the fullest force, untill a friendly Application shall be made for an Arrangement, and untill that Application shall be rejected, no appeal shall be made to Arms. And if a War shall break out between the Parties, Nine Months shall be granted to all the Subjects of both Parties, to dispose of their Effects and retire with their

Property. And it is further declared that whatever indulgences in Trade or otherwise shall be granted to any of the Christian Powers, the Citizens of the United States shall be equally entitled to them.

.25.

This Treaty shall continue in full Force, with the help of God for Fifty Years.

We have delivered this Book into the Hands of the before-mentioned Thomas Barclay on the first day of the blessed Month of Ramadan, in the Year One thousand two hundred.

I certify that the annex'd is a true Copy of the Translation made by Issac Cardoza Nunez, Interpreter at Morocco, of the treaty between the Emperor of Morocco and the United States of America.

THOS BARCLAY

(1) Or Ouadnoun, on the Atlantic coast, about latitude 29° N.

Source:

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

Edited by Hunter Miller

Volume 2

EXHIBIT H

Treaty with Mexico

(1848)

[By the Louisiana Purchase, Texas had become a part of the United States; but in 1819 it had been ceded to Spain in the negotiations for Florida. Two years later Mexico, including Texas, had become independent, and the United States made two unsuccessful attempts to purchase Texas from Mexico. The settlement of Texas by immigrants from the United States finally led to the secession of Texas and its annexation by the United States, with the result that the Mexican War broke out in May, 1846. It was closed by this treaty, by which the United States gained not only Texas but New Mexico and Upper California.]

Treaty of Peace, Friendship, Limits, and Settlement between the United States of America and the United Mexican States, Concluded at Guadalupe Hidalgo, February 2, 1848; Ratification Advised by Senate, with Amendments, March 10, 1848; Ratified by President, March 16, 1848; Ratifications Exchanged at Queretaro, May 30, 1848; Proclaimed, July 4, 1848.

In the name of Almighty God:

THE UNITED STATES OF AMERICA and the United Mexican States animated by a sincere desire to put an end to the calamities of the war which unhappily exists between the two Republics, and to establish upon a solid basis relations of peace and friendship, which shall confer reciprocal benefits upon the citizens of both, and assure the concord, harmony, and mutual confidence wherein the two people should live, as good neighbours, have for that purpose appointed their respective plenipotentiaries, that is to say:

The President of the United States has appointed Nicholas P. Trist, a citizen of the United States, and the President of the Mexican Republic has appointed Don Luis Gonzaga Cuevas, Don Bernardo Couto, and Don Miguel Atristain, citizens of the said Republic;

Who, after a reciprocal communication of their respective full powers, have, under the protection of Almighty God, the author of peace, arranged, agreed upon, and signed the following:

Treaty of Peace, Friendship, Limits, and Settlement between the United States of America and the Mexican Republic.

Article I

There shall be firm and universal peace between the United States of America and the Mexican Republic, and between their respective countries, territories, cities, towns, and

people, without exception of places or persons.

Article II

6

Immediately upon the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the General—in—chief of the forces of the United States, and such as may be appointed by the Mexican Government, to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be reestablished, as regards the political, administrative, and judicial branches, so far as this shall be permitted by the circumstances of military occupation.

Article III

7

Immediately upon the ratification of the present treaty by the Government of the United States, orders shall be transmitted to the commanders of their land and naval forces, requiring the latter (provided this treaty shall then have been ratified by the Government of the Mexican Republic, and the ratifications exchanged) immediately to desist from blockading any Mexican ports and requiring the former (under the same condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican Republic, to points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such evacuation of the interior of the Republic shall be completed with the least possible delay; the Mexican Government hereby binding itself to afford every facility in its power for rendering the same convenient to the troops, on their march and in their new positions, and for promoting a good understanding between them and the inhabitants. In like manner orders shall be despatched to the persons in charge of the custom—houses at all ports occupied by the forces of the United States, requiring them (under the same condition) immediately to deliver possession of the same to the persons authorized by the Mexican Government to receive it, together with all bonds and evidences of debt for duties on importations and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom—houses, or elsewhere in Mexico, by authority of the United States, from and after the day of ratification of this treaty by the Government of the Mexican Republic; and also an account of the cost of collection; and such entire amount, deducting only the cost of collection, shall be delivered to the Mexican Government, at the city of Mexico, within three months after the exchange of ratifications.

The evacuation of the capital of the Mexican Republic by the troops of the United States, in virtue of the above stipulation, shall be completed in one month after the orders there stipulated for shall have been received by the commander of said troops, or sooner if possible.

8

Article IV

9

Immediately after the exchange of ratifications of the present treaty all castles, forts, territories, places, and possessions, which have been taken or occupied by the forces of the United States during the present war, within the limits of the Mexican Republic, as about to be established by the following article, shall be definitely restored to the said Republic, together with all the artillery, arms, apparatus of war, munitions, and other public property, which were in the said castles and forts when captured, and which shall remain there at the time when this treaty shall be duly ratified by the Government of the Mexican Republic. To this end, immediately upon the signature of this treaty, orders shall be despatched to the American officers commanding such castles and forts, securing against the removal or destruction of any such artillery, arms, apparatus of war, munitions, or other public property. The city of Mexico, within the inner line of entrenchments surrounding the said city, is comprehended in the above stipulation, as regards the restoration of artillery, apparatus of war, &c.

The final evacuation of the territory of the Mexican Republic, by the forces of the United States, shall be completed in three months from the said exchange of ratifications, or sooner if possible; the Mexican Government hereby engaging, as in the foregoing article, to use all means in its power for facilitating such evacuation, and rendering it convenient to the troops, and for promoting a good understanding between them and the inhabitants.

If, however, the ratification of this treaty by both parties should not take place in time to allow the embarkation of the troops of the United States to be completed before the commencement of the sickly season, at the Mexican ports on the Gulf of Mexico, in such case a friendly arrangement shall be entered into between the General—in—chief of the said troops and the Mexican Government, whereby healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season. And the space of time here referred to as comprehending the sickly season shall be understood to extend from the first day of May to the first day of November.

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of ratifications of this treaty. It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the Government of the said United States will exact the release of such captives, and cause them to be restored to their country.

Article V

The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western

termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the river Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled "*Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell;*" of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned Plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782 by Don Juan Pantoja, second sailing—master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners Sutil and Mexicana; of which plan a copy is hereunto added, signed and sealed by the respective Plenipotentiaries.

14

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground land—marks which shall show the limits of both republics, as described in the present article, the two Governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

15

The boundary line established by this article shall be religiously respected by each of the two republics, and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the General Government of each, in conformity with its own constitution.

16

Article VI

17

The vessels and citizens of the United States shall, in all time, have a free and uninterrupted passage by the Gulf of California, and by the river Colorado below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article; it being understood that this passage is to be by navigating the Gulf of California and the river Colorado, and not by land, without the express consent of the Mexican Government.

If, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part run upon the river Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the Governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries.

18

Article VII

19

The river Gila, and the part of the Rio Bravo del Norte lying below the southern boundary of New Mexico, being, agreeably to the fifth article, divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary shall be free and common to the vessels and citizens of both countries; and neither shall, without the consent of the other, construct any work that may impede or interrupt, in whole or in part, the exercise of this right; not even for the purpose of favoring new methods of navigation. Nor shall any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same, or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making the said rivers navigable, or for maintaining them in such state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both Governments.

The stipulations contained in the present article shall not impair the territorial rights of either republic within its established limits.

20

Article VIII

21

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

22

In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

23

Article IX

24

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

Article X

25

[Stricken out.]

Article XI

26

Considering that a great part of the territories, which, by the present treaty, are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive control of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whensoever this may be necessary; and that when they cannot be prevented, they shall be punished by the said Government, and satisfaction for the same shall be exacted—all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics; nor to purchase or acquire horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians.

And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agents shall pay the expenses incurred in the maintenance and transmission of the rescued captives; who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence, through any other channel, of the existence of Mexican captives

within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And, finally, the sacredness of this obligation shall never be lost sight of by the said Government, when providing for the removal of the Indians from any portion of the said territories, or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

Article XII

In consideration of the extension acquired by the boundaries of the United States, as defined in the fifth article of the present treaty, the Government of the United States engages to pay to that of the Mexican Republic the sum of fifteen millions of dollars.

Immediately after the treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. The remaining twelve millions of dollars shall be paid at the same place, and in the same coin, in annual installments of three millions of dollars each, together with interest on the same at the rate of six per centum per annum. This interest shall begin to run upon the whole sum of twelve millions from the day of the ratification of the present treaty by the Mexican Government, and the first of the instalments shall be paid at the expiration of one year from the same day. Together with each annual instalment, as it falls due, the whole interest accruing on such instalment from the beginning shall also be paid.

Article XIII

The United States engage, moreover, to assume and pay to the claimants all the amounts now due them, and those hereafter to become due, by reason of the claims already liquidated and decided against the Mexican Republic, under the conventions between the two republics severally concluded on the eleventh day of April, eighteen hundred and thirty—nine, and on the thirtieth day of January, eighteen hundred and forty—three; so that the Mexican Republic shall be absolutely exempt, for the future, from all expense whatever on account of the said claims.

Article XIV

The United States do furthermore discharge the Mexican Republic from all claims of citizens of the United States, not heretofore decided against the Mexican Government,

which may have arisen previously to the date of the signature of this treaty; which discharge shall be final and perpetual, whether the said claims be rejected or be allowed by the board of commissioners provided for in the following article, and whatever shall be the total amount of those allowed.

Article XV

34

The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever cancelled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive; provided that, in deciding upon the validity of each claim, the board shall be guided and governed by the principles and rules of decision prescribed by the first and fifth articles of the unratified convention, concluded at the city of Mexico on the twentieth day of November, one thousand eight hundred and forty—three; and in no case shall an award be made in favour of any claim not embraced by these principles and rules.

If, in the opinion of the said board of commissioners or of the claimants, any books, records, or documents, in the possession or power of the Government of the Mexican Republic, shall be deemed necessary to the just decision of any claim, the commissioners, or the claimants through them, shall, within such period as Congress may designate, make an application in writing for the same, addressed to the Mexican Minister of Foreign Affairs, to be transmitted by the Secretary of State of the United States; and the Mexican Government engages, at the earliest possible moment after the receipt of such demand, to cause any of the books, records, or documents so specified, which shall be in their possession or power (or authenticated copies or extracts of the same), to be transmitted to the said Secretary of State, who shall immediately deliver them over to the said board of commissioners; provided that no such application shall be made by or at the instance of any claimant, until the facts which it is expected to prove by such books, records, or documents, shall have been stated under oath or affirmation.

35

Article XVI

36

Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory it may judge proper so to fortify for its security.

Article XVII

37

The treaty of amity, commerce, and navigation, concluded at the city of Mexico, on the fifth day of April, A. D. 1831, between the United States of America and the United Mexican States, except the additional article, and except so far as the stipulations of the said treaty may be incompatible with any stipulation contained in the present treaty, is hereby revived for the period of eight years from the day of the exchange of ratifications

of this treaty, with the same force and virtue as if incorporated therein; it being understood that each of the contracting parties reserves to itself the right, at any time after the said period of eight years shall have expired, to terminate the same by giving one year's notice of such intention to the other party.

Article XVIII

38

All supplies whatever for troops of the United States in Mexico, arriving at ports in the occupation of such troops previous to the final evacuation thereof, although subsequently to the restoration of the custom—houses at such ports, shall be entirely exempt from duties and charges of any kind; the Government of the United States hereby engaging and pledging its faith to establish and vigilantly to enforce, all possible guards for securing the revenue of Mexico, by preventing the importation, under cover of this stipulation, of any articles other than such, both in kind and in quantity, as shall really be wanted for the use and consumption of the forces of the United States during the time they may remain in Mexico. To this end it shall be the duty of all officers and agents of the United States to denounce to the Mexican authorities at the respective ports any attempts at a fraudulent abuse of this stipulation, which they may know of, or may have reason to suspect, and to give to such authorities all the aid in their power with regard thereto; and every such attempt, when duly proved and established by sentence of a competent tribunal, shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

Article XIX

39

With respect to all merchandise, effects, and property whatsoever, imported into ports of Mexico, whilst in the occupation of the forces of the United States, whether by citizens of either republic, or by citizens or subjects of any neutral nation, the following rules shall be observed:

(1) All such merchandise, effects, and property, if imported previously to the restoration of the custom—houses to the Mexican authorities, as stipulated for in the third article of this treaty, shall be exempt from confiscation, although the importation of the same be prohibited by the Mexican tariff.

40

(2) The same perfect exemption shall be enjoyed by all such merchandise, effects, and property, imported subsequently to the restoration of the custom-houses, and previously to the sixty days fixed in the following article for the coming into force of the Mexican tariff at such ports respectively; the said merchandise, effects, and property being, however, at the time of their importation, subject to the payment of duties, as provided for in the said following article.

41

(3) All merchandise, effects, and property described in the two rules foregoing shall, during their continuance at the place of importation, and upon their leaving such place for the interior, be exempt from all duty, tax, or imposts of every kind, under whatsoever title or denomination. Nor shall they be there subject to any charge whatsoever upon the sale thereof.

42

(4) All merchandise, effects, and property, described in the first and second rules, which shall have been removed to any place in the interior, whilst such place was in the occupation of the forces of the United States, shall, during their continuance therein, be exempt from all tax upon the sale or consumption thereof, and from every kind of impost or contribution, under whatsoever title or denomination. 43

(5) But if any merchandise, effects, or property, described in the first and second rules, shall be removed to any place not occupied at the time by the forces of the United States, they shall, upon their introduction into such place, or upon their sale or consumption there, be subject to the same duties which under the Mexican laws, they would be required to pay in such cases if they had been imported in time of peace, through the maritime custom—houses, and had there paid the duties conformably with the Mexican tariff. 44

(6) The owners of all merchandise, effects, or property, described in the first and second rules, and existing in any port of Mexico, shall have the right to reship the same, exempt from all tax, impost, or contribution whatever. 45

With respect to the metals, or other, property exported from any Mexican port whilst in the occupation of the forces of the United States, and previously to the restoration of the custom—house at such port, no person shall be required by the Mexican authorities, whether general or state, to pay any tax, duty, or contribution upon any such exportation, or in any manner to account for the same to the said authorities. 46

Article XX 47

Through consideration for the interests of commerce generally, it is agreed, that if less than sixty days should elapse between the date of the signature of this treaty and the restoration of the custom—houses, conformably with the stipulation in the third article, in such case all merchandise, effects and property whatsoever, arriving at the Mexican ports after the restoration of the said custom—houses, and previously to the expiration of sixty days after the day of signature of this treaty, shall be admitted to entry; and no other duties shall be levied thereon than the duties established by the tariff found in force at such custom—houses at the time of the restoration of the same. And to all such merchandise, effects, and property, the rules established by the preceding article shall apply.

Article XXI 48

If unhappily any disagreements should hereafter arise between the Governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any other particular concerning the political or commercial relations of the two nations, the said Governments, in the name of those nations, do promise to each other that they will endeavour, in the most sincere and earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship in which the two countries are now placing themselves, using, for this end, mutual representations and pacific negotiations. And if, by these means, they should not be enabled to come to an

agreement, a resort shall not, on this account, be had to reprisals, aggression, or hostility of any kind, by the one republic against the other, until the Government of that which deems itself aggrieved shall have maturely considered, in the spirit of peace and good neighbourhood, whether it would not be better that such difference should be settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.

Article XXII

If (which is not to be expected, and which God forbid) war should unhappily break out between the two republics, they do now, with a view to such calamity, solemnly pledge themselves to each other and to the world to observe the following rules; absolutely where the nature of the subject permits, and as closely as possible in all cases where such absolute observance shall be impossible:

(1) The merchants of either republic then residing in the other shall be allowed to remain twelve months (for those dwelling in the interior), and six months (for those dwelling at the seaports) to collect their debts and settle their affairs; during which periods they shall enjoy the same protection, and be on the same footing, in all respects, as the citizens or subjects of the most friendly nations; and, at the expiration thereof, or at any time before, they shall have full liberty to depart, carrying off all their effects without molestation or hindrance, conforming therein to the same laws which the citizens or subjects of the most friendly nations are required to conform to. Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted, by the armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to anything from them for the use of such armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes, shall be respected, and all persons connected with the same protected in the discharge of their duties, and the pursuit of their vocations.

(2) In order that the fate of prisoners of war may be alleviated, all such practices as those of sending them into distant, inclement, or unwholesome districts, or crowding them into close and noxious places, shall be studiously avoided. They shall not be confined in dungeons, prisonships, or prisons; nor be put in irons, or bound, or otherwise restrained in the use of their limbs. The officers shall enjoy liberty on their paroles, within convenient districts, and have comfortable quarters; and the common soldiers shall be disposed in cantonments, open and extensive enough for air and exercise, and lodged in barracks as roomy and good as are provided by the party in whose power they are for its own troops. But if any officer shall break his parole by leaving the district so

assigned him, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual, officer, or other prisoner, shall forfeit so much of the benefit of this article as provides for his liberty on parole or in cantonment. And if any officer so breaking his parole, or any common soldier so escaping from the limits assigned him, shall afterwards be found in arms, previously to his being regularly exchanged, the person so offending shall be dealt with according to the established laws of war. The officers shall be daily furnished, by the party in whose power they are, with as many rations, and of the same articles, as are allowed, either in kind or by commutation, to officers of equal rank in its own army; and all others shall be daily furnished with such ration as is allowed to a common soldier in its own service; the value of all which supplies shall, at the close of the war, or at periods to be agreed upon between the respective commanders, be paid by the other party, on a mutual adjustment of accounts for the subsistence of prisoners; and such accounts shall not be mingled with or set off against any others, nor the balance due on them withheld, as a compensation or reprisal for any cause whatever, real or pretended. Each party shall be allowed to keep a commissary of prisoners, appointed by itself, with every cantonment of prisoners, in possession of the other; which commissary shall see the prisoners as often as he pleases; shall be allowed to receive, exempt from all duties or taxes, and to distribute, whatever comforts may be sent to them by their friends; and shall be free to transmit his reports in open letters to the party by whom he is employed.

And it is declared that neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the state of war is precisely that for which it is provided; and, during which, its stipulations are to be as sacredly observed as the most acknowledged obligations under the law of nature or nations.

Article XXIII

This treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Mexican Republic, with the previous approbation of its general Congress; and the ratifications shall be exchanged in the City of Washington, or at the seat of Government of Mexico, in four months from the date of the signature hereof, or sooner if practicable.

In faith whereof we, the respective Plenipotentiaries, have signed this treaty of peace, friendship, limits, and settlement, and have hereunto affixed our seals respectively. Done in quintuplicate, at the city of Guadalupe Hidalgo, on the second day of February, in the year of our Lord one thousand eight hundred and forty—eight.

N. P. Trist [L. S.]
Luis P. Cuevas [L. S.]
Bernado Couto [L. S.]
Migl. Atristain [L. S.]

EXHIBIT I
**Venezuelan-American Diplomacy - Treaty of Peace, Friendship, Navigation
and Commerce Between the United States and Venezuela; May 31, 1836**

The United States of America and the Republic of Venezuela desiring to make lasting and firm the friendship and good understanding which happily prevails between both nations have resolved to fix in a manner clear, distinct, and positive the rules which shall in future be religiously observed between the one and the other, by means of a treaty of friendship, commerce and navigation. For this most desirable object the President of the United States of America has conferred full powers on John G. A. Williamson a citizen of the said States, and their Charg, d'affaires to the said republic, and the President of the Republic of Venezuela on Santos Michelena a citizen of the said Republic, who after having exchanged their said full powers, in due and proper form, have agreed to the following articles:

Article 1

There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of Venezuela in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places.

Article 2

The United States of America and the Republic of Venezuela desiring to live in peace and harmony with all the other nations of the earth, by means of a policy frank, and equally friendly with all, engage mutually not to grant any particular favor to other nations in respect of commerce and navigation which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional.

Article 3

The two high contracting parties being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the citizens of each may frequent all the coasts and countries of the other and reside and trade there in all kinds of produce, manufactures and merchandize. And they shall enjoy all the rights, privileges and exemptions, in navigation and commerce which native citizens do or shall enjoy, submitting themselves to the laws, decrees, and usages there established, to which native citizens are subjected. But it is understood that this article does not include the coasting trade of either country, the regulation of which is reserved by the parties respectively according to their own separate laws.

Article 4

They likewise agree that whatever kind of produce, manufactures or merchandize, of any foreign country, can be from time to time lawfully imported into the United States in their own vessels, may be also imported in vessels of the Republic of Venezuela, and that no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in the vessels of the one country or of the other. And in like manner that whatever kind of produce, manufactures or merchandize, of any foreign country, can be from time to time lawfully imported into the Republic of Venezuela in its own vessels may be also imported in vessels of the United States, and that no higher or other duties, upon the tonnage of the vessels and her cargo, shall be levied or collected, whether the importation be made in vessels of the one country or of the other. And they agree that whatever may be lawfully exported or reexported from the one country in its own vessels to any foreign country, may in like manner be exported or reexported in the vessels of the other country. And the same bounties, duties, and drawbacks shall be allowed, and collected, whether such exportation or reexportation be made in vessels of the United States, or of the Republic of Venezuela.

Article 5

For the better understanding of the preceding article, and taking into consideration the actual state of the commercial marine of the Republic of Venezuela, it has been stipulated and agreed that all vessels belonging exclusively to a citizen or citizens of said Republic and whose captain is also a citizen of the same, though the construction or crew are or may be foreign, shall be considered for all the objects of this treaty as Venezuelan vessels.

Article 6

No higher or other duties shall be imposed on the importation into the United States of any articles the produce or manufacture of the Republic of Venezuela, and no higher or other duties shall be imposed on the importation into the Republic of Venezuela of any articles, the produce or manufacture of the United States, than are or shall be payable on the like articles being the produce or manufactures of any other foreign country, nor shall any higher or other duties, or charges be imposed in either of the two countries, on the exportation of any articles to the United States, or to the Republic of Venezuela respectively than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportation or importation of any articles the produce or manufactures of the United States or of the Republic of Venezuela to or from the territories of the United States, or to or from the territories of the Republic of Venezuela, which shall not equally extend to all other nations.

Article 7

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships and other citizens of both countries to manage themselves their own business in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment

and sale of their goods and merchandize by wholesale or retail, as with respect to the loading, unloading, and sending off their ships, they being in all these cases to be treated as citizens of the country in which they reside or at least to be placed on a footing with the subjects or citizens of the most favoured nation.

Article 8

The citizens of neither of the contracting parties shall be liable to any embargo, nor be detained with their vessels, cargoes, merchandizes or effects, for any military expedition, nor for any public or private purpose whatever, without allowing to those interested a sufficient indemnification.

Article 9

Whenever the citizens of either of the contracting parties, shall be forced to seek refuge or asylum in the rivers, bays, ports or dominions of the other with their vessels, whether merchant, or of war, public or private, through stress of weather, pursuit of pirates or enemies, they shall be received and treated with humanity, giving to them all favour and protection for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage, without obstacle or hindrance of any Kind.

Article 10

All the ships, merchandize, and the effects belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction, or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners, their proving in due and proper form their rights before the competent tribunals, it being well understood that the claim should be made within the term of one year by the parties themselves, their attorneys, or agents of the respective Governments.

Article 11

When any vessel belonging to the citizens of either of the contracting parties, shall be wrecked, foundered, or shall suffer any damage on the coasts, or within the dominions of the other, there shall be given to them all assistance and protection in the same manner, which is usual and customary with the vessels of the nation, where the damage happens, permitting them to unload the said vessel, if necessary of its merchandize and effects, without exacting for it any duty, impost, or contribution whatever, until they may be exported, unless they be destined for consumption.

Article 12

The citizens of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other by sale, donation, testament or otherwise, and their representatives, being citizens of the other party, shall succeed to their said personal goods, whether by testament, or ab intestato, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country, wherein the said goods are, shall be subject to pay in like cases. And if in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance, on account of their character of aliens, there shall be granted to them, the term of three years to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, nor any other charges than those which are imposed by the laws of the country.

Article 13

Both the contracting parties, promise, and engage formally, to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of the one or the other, transient or dwelling therein, leaving open and free to them the Tribunals of Justice for their judicial recourse on the same terms which are usual and customary with the natives or citizens of the country in which they may be; for which they may employ in defence of their rights such advocates, solicitors, notaries, agents, and factors, as they may judge proper in all their trials at law; and such citizens or agents, shall have free opportunity to be present at the decisions and sentences of the Tribunals in all cases, which may concern them, and likewise at the taking of all examinations and evidence which may be exhibited on the said trials.

Article 14

The citizens of the United States residing in the territories of the Republic of Venezuela, shall enjoy the most perfect and entire security of conscience without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion in private houses, or in the chapels or places of worship appointed for that purpose, with the decorum due to divine worship, and with due respect to the laws, usages, and customs of the country. Liberty shall also be granted to bury the citizens of the United States who may die in the territories of the Republic of Venezuela, in convenient and adequate places to be appointed and established by themselves for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased. Nor shall the funerals or sepulchres of the dead be disturbed in any wise nor upon any account.

In like manner the citizens of Venezuela shall enjoy within the Government and territories of the United States a perfect and unrestrained liberty of conscience, and of exercising their religion publicly or privately within their own dwelling houses or in the chapels and places of worship appointed for that purpose agreeable to the laws, usages and customs of the United States.

Article 15

It shall be lawful for the citizens of the United States of America and of the Republic of Venezuela to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandizes laden thereon, from any port to the places of those, who now are, or hereafter shall be, at enmity with either of the contracting parties. It shall likewise be lawful for the citizens aforesaid to sail with their ships and merchandizes before-mentioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy before-mentioned to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy whether they be under the jurisdiction of one power or under several. And it is hereby stipulated that free ships shall also give freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships belonging to the citizens of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemies of either; contraband goods being always excepted. It is also agreed in like manner that the same liberty shall be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are officers or soldiers, and in the actual service of the enemies. Provided, however, and it is hereby agreed, that the stipulations in this article contained, declaring that the flag shall cover the property, shall be understood as applying to those powers only, who recognise this principle; but if either of the two contracting parties, shall be at war with a third, and the other neutral, the flag of the neutral, shall cover the property of enemies, whose governments acknowledge this principle, and not of others.

Article 16

It is likewise agreed that in the case where the neutral flag of one of the contracting parties shall protect the property of the enemies of the other by virtue of the above stipulations, it shall always be understood that the neutral property found on board such enemies' vessels, shall be held and considered as enemies' property, and as such, shall be liable to detention and confiscation, except such property as was put on board such vessel before the declaration of war, or even afterwards, if it were done without the knowledge of it: but the contracting parties agree, that two months having elapsed after the declaration, their citizens shall not plead ignorance thereof. On the contrary if the flag of the neutral does not protect the enemies' property, in that case the goods and merchandizes of the neutral embarked in such enemy's ship, shall be free.

Article 17

This liberty of navigation and commerce shall extend to all kinds of merchandize, excepting those only, which are distinguished by the name of contraband, and under this name of contraband or prohibited goods, shall be comprehended:

1st. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fusees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds and grenades, bombs, powder, matches, balls, and all other things belonging to the use of these arms.

2d. Bucklers, helmets, breastpleates, coats of mail, infantry-belts, and clothes made up in the form, and for military use.

3d. Cavalry-belts, and horses with their furniture.

4th. And generally all Kinds of arms and instruments of iron, steel, brass and copper, or of any other materials, manufactured, prepared, and formed expressly to make war by sea or land.

Article 18

All other merchandises and things not comprehended in the articles of contraband, explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by the citizens of both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded; and to avoid all doubt in this particular, it is declared that those places only are besieged or blockaded, which are actually attacked by a belligerent force, capable of preventing the entry of the neutral.

Article 19

The articles of contraband before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the two nations shall be detained on the high seas on account of having on board articles of contraband: whenever the master, captain or supercargo of said vessel, will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great, or of so large a bulk, that they cannot be received on board the capturing ship without great inconvenience; but in this and in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port, for trial and judgment according to law.

Article 20

And whereas it frequently happens, that vessels sail for a port or places belonging to an enemy, without knowing that the same is besieged, blockaded, or invested; it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment, from any officer commanding a vessel of the

blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel of either, that may have entered into such port, before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo, nor if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

Article 21

In order to prevent all kind of disorder in the visiting and examination of the ships and cargos of both the contracting parties on the high seas, they have agreed mutually, that whenever a vessel of war public or private shall meet with a neutral of the other contracting party, the first shall remain out of cannonshot, and may send its boat with two or three men only, in order to execute the said examination of the papers concerning the ownership of the vessel without causing the least extortion, violence, or ill-treatment, for which the commanders of the said armed ship, shall be responsible with their persons and property: for which purpose the commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit; and it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting his papers or for any other purpose whatever.

Article 22

To avoid all kind of vexation and abuse in the examination of the papers relating to the ownership of the vessels, belonging to the citizens of the two contracting parties, they have agreed and do agree, that in case one of them should be engaged in war, the ships and vessels belonging to the citizens of the other, must be furnished with sea-letters or passports expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of said vessel, in order that it may thereby appear that said ship really and truly belongs to the citizens of one of the parties: they likewise agreed, that such ship, being laden, besides the said sea-letters or passports, shall also be provided with certificates, containing the several particulars of the cargo, and the place whence the ship sailed, so that it may be known, whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place, when the ship sailed, in the accustomed form; without such requisites said vessels may be detained to be adjudged by the competent tribunal, and may be declared legal prize, unless the said defect shall be proved to be owing to accident and satisfied or supplied by testimony entirely equivalent.

Article 23

It is further agreed that the stipulations above expressed, relative to the visiting and examination of vessels shall apply only to those which sail without convoy, and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy on his

word of honour, that the vessels, under his protection, belong to the nation whose flag he carries, and, when they are bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

Article 24

It is further agreed that in all cases, the established courts for prize causes, in the country to which the prizes may be conducted shall alone take cognizance of them; and whenever such tribunals of either party shall pronounce judgment against any vessel or goods, or property, claimed by the citizens of the other party, the sentence or decree shall mention the reason or motives, on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded be delivered to the commander or agent of said vessel, without any delay, he paying the legal fees for the same.

Article 25

Whenever one of the contracting parties shall be engaged in war with another state, no citizen of the other contracting party shall accept a commission or letter of marque, for the purpose of assisting or cooperating hostilely with the said enemy, against the said party so at war, under the pain of being considered as a pirate.

Article 26

If by any fatality, which cannot be expected, and which God forbid the two contracting parties should be engaged in a war with each other, they have agreed, and do agree now, for then, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other, and the term of one year to those who dwell in the interior, to arrange their business and transport their effects wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens of all other occupations, who may be established in the territories or dominions of the United States and of the Republic of Venezuela, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which in consideration of humanity, the contracting parties engage to give them.

Article 27

Neither the debts due from individuals of the one nation to the individuals of the other, nor shares, nor moneys which they may have in public funds, nor in public, or private banks, shall ever in any event of war or of national difference, be sequestered or confiscated.

Article 28

Both the contracting parties being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed, and do agree, to grant to the envoys, ministers, and other public agents, the same favours, immunities, and exemptions, which those of the most favoured nation do or shall enjoy; it being understood, that whatever favours, immunities, or privileges the United States of America, or the Republic of Venezuela may find it proper to give to the ministers and other public agents of any other power, shall by the same act be extended to those of each of the contracting parties.

Article 29

To make more effectual the protection which the United States and the Republic of Venezuela shall afford in future to the navigation and commerce of the citizens of each other they agree to receive and admit Consuls and Vice-consuls in all the ports open to foreign commerce, who shall enjoy in them all the rights, prerogatives, and immunities, of the Consuls and Vice-consuls, of the most favoured nation; each contracting party, however, remaining at liberty to except those ports and places, in which the admission and residence of such Consuls may not seem convenient.

Article 30

In order that the Consuls and Vice-consuls, of the two contracting parties may enjoy the rights, prerogatives, and immunities, which belong to them by their public character, they shall, before entering on the exercise of their functions, exhibit their commission or patent in due form, to the government to which they are accredited, and having obtained their exequatur, they shall be held and considered as such, by all the authorities, magistrates and inhabitants in the Consular district in which they reside.

Article 31

It is likewise agreed that the Consuls, their Secretaries, officers, and persons attached to the service of Consuls, they not being citizens of the country in which the Consul resides, shall be exempt from all Kind of taxes, imposts, and contributions, except those, which they shall be obliged to pay on account of commerce or their property, to which the citizens and inhabitants, native and foreign, of the country in which they reside, are subject, being in every thing besides subject to the laws of the respective States. The archives and papers of the consulates shall be respected inviolably, and under no pretext whatever, shall any magistrate seize or in any way interfere with them.

Article 32

The said Consuls shall have power to require the assistance of the authorities of the country for the arrest, detention and custody of deserters from the public and private vessels of their country, and for that purpose, they shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing; providing by an

exhibition of the registers of the vessels, or ships-roll, or other public documents, that those men were part of the said crews, and on this demand so proved (saving however, where the contrary is proved) the delivery shall not be refused. Such deserters, when arrested, shall be put at the disposal of said Consuls, and may be put in the public prisons, at the request and expence of those who reclaim them, to be sent to the ships to which they belonged, or to others of the same nation. But if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

Article 33

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit them, to form a Consular convention, which shall declare especially the powers and immunities of the Consuls and Vice-consuls of the respective parties.

Article 34

The United States of America and the Republic of Venezuela desiring to make as durable as circumstances will permit, the relations which are to be established between the two parties, by virtue of this Treaty of Peace, Amity, Commerce, and Navigation, have declared solemnly, and do agree to the following points:

1st: The present Treaty shall remain in full force and virtue for the term of twelve years to be counted from the day of the exchange of the ratifications and further until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same; each of the contracting parties reserving to itself the right of giving such notice to the other at the end of said term of twelve years; and it is hereby agreed between them that on the expiration of one year after such notice shall have been received by either from the other party, this Treaty in all its parts relative to commerce and navigation, shall altogether cease and determine, and in all those parts which relate to peace and friendship it shall be perpetually and permanently binding on both powers.

2d. If any one or more of the citizens of either party, shall infringe any of the articles of this Treaty, such citizen shall be held personally responsible for the same, and harmony and good correspondence between the two nations, shall not be interrupted thereby, each party engaging in no way to protect the offender, or sanction such violation.

3d. If (what, indeed, cannot be expected) unfortunately any of the articles in the present Treaty shall be violated or infringed in any other way whatever, it is expressly stipulated, that neither of the contracting parties will order or authorize any act of reprisal, nor declare war against the other on complaints of injuries, or damages, until the said party considering itself offended, shall first have presented to the other, a statement of such injuries or damages,

verified by competent proofs, and demanded justice, and the same shall have been either refused or unreasonably delayed.

4d. Nothing in this Treaty contained shall, however, be constructed, or operate contrary to former and existing public Treaties with other Sovereigns and States.

The present Treaty of Peace, Amity, Commerce and Navigation, shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Republic of Venezuela with the consent and approbation of the Congress of the same, and the ratifications shall be exchanged in the city of Caracas within eight months, to be counted from the date of the signature hereof, or sooner if possible.

In faith whereof, we the Plenipotentiaries, of the United States of America and of the Republic of Venezuela have signed and sealed these presents.

Done in the city of Caracas on the twentieth day of January, in the year of our Lord one thousand eight hundred and thirty six, and in the sixtieth year of the Independence of the United States of America, and the twenty-sixth of that of the Republic of Venezuela.

JOHN G. A. WILLIAMSON

SANTOS MICHELENA