

**SOCIETY OF AMERICAN MAGICIANS PARENT ASSEMBLY NO. 1, INC.**  
**BY-LAWS**

**Article I – Membership**

Section 1.

Membership shall consist of two classes, namely, active members and honorary members who shall be recommended by the Board of Directors and ratified by a 2/3 vote of the membership present at a duly constituted meeting. Honorary members are not required to pay annual dues to the Parent Assembly.

Section 2.

Active members are those of seventeen years of age, or over, who have qualified, have been elected and are in good standing.

Section 3.

Honorary members shall rank as dues paying active members with respect to rights and privileges.

Section 4.

Every applicant for membership shall be required to sign the following pledge, which constitutes the SAM's Code of Honor, as printed on the National Council application for members:

"If accepted, I agree to conform to the Constitution, By Laws and Ritual of the Society of American Magicians, and all resolutions now in force or that may hereafter be enacted or amended. I shall endeavor to cooperate with the Society in the promotion of its objectives, to promote harmony among those interested in magic, and to advance the ethics of the profession. I agree not to expose any modus operandi from stage, platform, radio, or in any manner whatsoever. I am opposed to cheap literature wherein magical secrets are needlessly exposed, or to the sale of professional magical effects in cheap miniature form to the public. I am opposed to needless and useless explanations of secrets to persons who are not interested in stagecraft. I am opposed to placing in a predicament any legitimate performer while he is before an audience."

Section 5.

Election to membership shall be by open or secret ballot. Applicant shall be approved by a two-thirds majority vote of the members in good standing present at a regular meeting, provided that a quorum of the members eligible to vote are present.

Section 6.

A member, any part of whose dues or assessments for the current year are unpaid for 90 days or more after the due date, shall not be in good standing. He or she may not vote, hold office or be admitted to a business meeting until such time as said dues or assessments are paid to the Treasurer.

Section 7.

A member twelve months in arrears of dues shall automatically be suspended and the name of such member shall be presented to the Parent Assembly.

Section 8.

A member may also be suspended, expelled, or subjected to other disciplinary action for such offenses as non-payment of dues or other financial obligations to the Parent Assembly or to the Society of American Magicians, in the manner as may be prescribed by the Constitution of the National Council of the Society of American Magicians.

Section 9.

A member who resigns or who was suspended may be reinstated upon payment of all dues and assessments past due and reinstatement fees if required. Members suspended for non-payment of dues and assessments may be reinstated upon payment of such obligations.

Section 10.

In addition to membership cards issued by the National Secretary, this Parent Assembly shall issue annually separate membership cards to its members, which shall be signed by the Treasurer of the Parent Assembly.

Section 11.

The Board of Directors shall determine the dues and any and all assessments of the Parent Assembly.

**Article II – Meetings**

Section 1.

The Board of Directors shall determine the time, date and location of meetings of the Parent Assembly.

Section 2.

Special meetings of this Parent Assembly may be called by the President upon his or her own initiative or upon the written request of ten members in good

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standing. No business shall be transacted at any special meeting except as set forth in the notice of such special meeting.

Section 3.

Notice of all meetings shall be given in writing by mail and/or e-mail not less than ten days nor more than forty days prior to the date of the meeting.

Section 4.

Twenty (20) members in good standing shall constitute a quorum for the transaction of business at any meeting of this Parent Assembly.

**Article III – Order of Business**

Section 1.

The Order of Business at any meeting of the Parent Assembly shall be as follows:

- Opening in accordance with the Ritual.
- Reading and approval of minutes of previous meeting.
- Report of Committee on Admissions and election of new members.
- Conferring of the Mysteries (Swearing in Ceremony)
- Correspondence
- Report of the Treasurer
- Report of the Board of Directors
- Report of other Officers and Committees
- Unfinished business
- New Business
- Good and Welfare
- Closing in accordance with the Ritual

Section 2.

Meetings of the Board of Directors and the Parent Assembly and their committees shall be conducted in accord with the most recent edition of Robert’s Rules of Order, universally accepted as the standard manual of parliamentary procedure.

Section 3.

At the Annual Meeting, the first order of New Business shall be reports of officers for the year just ending, which shall be immediately followed by the election of officers and directors for the following year.

Section 4.

The order of business at any meeting may be changed by a vote of a majority of the members present. A motion to change the order of business shall not be debatable.

**Article IV – Board of Directors**

Section 1.

The Board of Directors shall consist of the three most recent Presidents, the President, First Vice-President, Second Vice-President, Secretary, Treasurer, Controller, the three Trustees, and five other members elected annually by the Parent Assembly. This Board shall constitute the Supreme Authority of the Parent Assembly.

Section 2.

The Board of Directors shall adjudicate all matters referred to it by the Parent Assembly. It shall have the power to summon any member to give evidence personally or by affidavit, for the purpose of obtaining testimony in any question under consideration. It shall have the power to summon members who are in arrears for dues or for any violation of duty or decorum. It shall hear and consider all charges made against any member of the Parent Assembly and make its recommendation to the Parent Assembly in connection therewith. Matters having to do with violation of the SAM Pledge, which is its Code of Honor, or professional or personal ethics, shall be referred to the Ethics Committee.

Section 3.

The Board of Directors shall have general charge of the affairs, funds and property of the Parent Assembly, and shall carry out the objectives of the Parent Assembly in accordance with these By-laws, but may not alter or amend or rescind any resolution or motion duly adopted at a meeting of the Parent Assembly.

Section 4.

The Board of Directors shall adopt rules and procedures for the holding of its meetings and the transaction of its business. It shall keep a record of its proceedings, which record shall be distributed by the Secretary at the next regular meeting of the Parent Assembly.

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Section 5.

Eight (8) members of the Board of Directors shall constitute a quorum.

Section 6.

At all meetings of the Board of Directors no action shall be taken except with the affirmative votes of the majority of the members of the Board present, but in no event less than five affirmative votes.

Section 7.

The Board of Directors shall meet upon the call of the Chair of the Board, the President, or upon the written request of three members of the Board, upon notice by mail and/or e-mail not less than seven days prior to the date of the meeting. In the event a meeting is called and convened on less than 7 days notice, the Board may vote to waive notice, upon unanimous vote of all members no later than 10 days following the meeting, such vote to be certified in writing. Failing certification, all decisions taken by those present at the meeting shall be declared void.

Section 8.

The Assembly shall hold any and all Officers and Trustees harmless from any claim against them arising out of the operation of the Assembly if said officer acted in good faith and in a manner said officer reasonably believed to be in or not opposed to the best interest of the Assembly and shall indemnify said Officers and Trustees for any loss, damages or expenses, including attorney's fees, incurred by said Officers and Trustees, as a result of a claim as described above, to the extent of its assets.

Section 9.

Notwithstanding anything herein contained in any other Article or provision of the By Laws, the Board of Directors shall recommend to the General Membership, a Certified Public Accountant. This CPA shall prepare tax filings and compilation financial statements, at the end of each fiscal year, summarizing all accounts, books, and records of all funds, committees and the general Treasury of the Parent Assembly.

Section 10.

The members of the Parent Assembly in attendance at a regular meeting or a special meeting called for the purpose, may modify or rescind a resolution of the Board of Directors, such action to require an affirmative vote of at least 2/3 of the members present.

**Article V - Officers**

Section 1.

The Parent Assembly shall have the following officers:

- President
- First Vice-President
- Second Vice-President
- Chair of the Board of Directors
- Secretary
- Treasurer
- Three Trustees
- Controller

Section 2.

The title of the President shall be "Most Illustrious." All other officers shall have the title "Illustrious" prefixed to their official titles. The members of the Assembly shall be known as "Compeers." An ex-President shall be known as "Illustrious Past President."

**Article VI – Election of Officers, Trustees, Directors, and Delegates**

Section 1.

All of the officers, Trustees, elective Trustees, Delegates and members of the Board of Directors of the Parent Assembly mentioned in Articles V, VI and VII, hereof, except the Chair of the Board of Directors, shall be elected by ballot at the annual meeting of the members, and except as otherwise provided herein specifically, each shall serve for one year or until the election and qualification of their successors respectively.

Section 2.

One delegate to the National Council of the Society of American Magicians for every fifty members, or fraction thereof, of this Parent Assembly, shall be elected annually, except the President, the Chair of the Board of Directors and the Secretary, who shall (without balloting) be considered the first three delegates.

Proxies shall be voted at the annual meeting for replacement of those delegates who will not be attending the Annual Convention, such proxies to apply only to the election of officers of the SAM.

Section 3.

Each Trustee shall serve for a period of three years, and one such Trustee shall be elected each year. Trustees

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may serve for a maximum of three consecutive terms, or a total of nine consecutive years. A Trustee who has served nine years may, after an interregnum of at least two years, be nominated and if elected, may again serve for three additional consecutive terms.

### Section 4.

Nominations for each office shall be made openly in the meeting immediately preceding the balloting for such office.

### Section 5.

Vacancies in office and on the Board of Directors may be filled at a special election held at a regular meeting, notice of the proposed election having been mailed and/or e-mailed to all members at least twenty days in advance of such election.

### Section 6.

The Board of Directors shall elect by secret ballot, a Chair of and from that body to serve one year. To be eligible for such election, the person to be so elected shall have served at least one term previously on the Board of Directors. Such term, however, need not have been immediately prior to the current term.

### Section 7.

A member will be eligible to serve on the Board of Directors after having been a member in good standing for at least one full year.

## **Article VII – Duties of Officers, Trustees and Other Officials**

### Section 1.

In addition to the duties and prerogatives prescribed elsewhere in the by-laws, the President shall be the Executive head of the Parent Assembly, and shall preside at all meetings thereof. He or she shall, in consultation with the Chair, set the Agenda for all meetings of the Board of Directors. He or she shall be ex-officio a member of each Committee. He or she shall sign all orders and warrants and shall generally perform all of the duties usually appertaining to a presiding officer. He or she shall preside at the meetings of the Board of Directors in the absence of the Chair of the Board.

### Section 2.

The Chair and the Vice-Presidents shall assist the President in the discharge of his or her duties and in his

or her absence or disability, shall, in order of rank, act in his or her stead.

### Section 3.

The First Vice President's duties shall include serving as chair of the Salute to Magic Committee, and therefore encompass responsibility for production and presentation of the annual Salute to Magic, the signature entertainment event of the Parent Assembly, as well as sale of tickets for same.

### Section 4.

Duties of the Second Vice President shall include responsibility for production and presentation of shows and other events immediately following each regular meeting of the Parent Assembly, as well as for Magic Week.

### Section 5.

The Chair of the Board of Directors shall preside at all meetings of the Board. He or she shall be ex-officio a member of each committee.

### Section 6.

The Secretary shall keep a true recording of the proceedings of the Parent Assembly and of the Board of Directors, and a register of the name, residence and business address of each member of the Parent Assembly. He or she shall attest the President's signature and be custodian of the seal. He or she shall make a full written report at the Annual Meeting of all work in connection with his or her office. He or she shall attend to all of the correspondence of the Parent Assembly and shall send out all required notices of meetings. He or she shall immediately, upon learning of the death of a Compeer, notify the editor of The Spellbinder and via E-mail notify all members and insert appropriate notice in the Obituary column of a New York newspaper, the expression of regret. He or she shall serve as liaison between the Parent Assembly and the National Council of the SAM. He or she shall also perform all other duties that may be delegated to him or her by the President. The Secretary, at the expiration of his or her term, shall deliver all properties of the Assembly to his or her successor or to the Trustees.

### Section 7.

The treasurer shall collect all fees, dues, assessments and monies for the Parent Assembly, and shall deposit all such funds in the name of the Parent Assembly in a bank or banks designated by the Board of Directors. He

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or she shall pay all bills. Those in excess of \$500.00 and up to \$1,000.00 shall require written approval of the President and a Vice-President. Bills in excess of \$1,000.00 shall require approval by the Board of Directors. He or she shall pay all fees, assessments and per capita taxes to the National Council of the Society of American Magicians. He or she shall keep an accurate accounting of all receipts and disbursements; file vouchers, submit his or her book and papers to the Controller and the Auditing Committee when required. He or she shall report to the Board of Directors all members who are delinquent in payment of dues or assessments. He or she shall make a full written report at the Annual Meeting of all work in connection with his or her office. He or she shall perform all other duties which may be delegated and deliver to his or her successor or to the Board of Directors all monies, books, paper and other property of the Assembly belonging to his or her office. The Treasurer's bank accounts shall require two signatures, the Treasurer's and any of the following officers: Chairman, President, or First Vice-President.

### Section 8.

The Controller shall examine and verify the financial accounts of the Parent Assembly semi-annually, or at such more frequent intervals as he or she may deem advisable, including but not limited to the operating accounts, Salute to Magic accounts and all investment accounts, and shall make written reports to the Parent Assembly at its regular meeting following each of such examinations. He or she shall also examine and verify the financial accounts of all committees of the Parent Assembly whenever he or she or the Board of Directors deem same necessary, and shall render a written report to the President immediately after such examination.

### Section 9.

The Editor of The Spellbinder, the Parent Assembly's official publication, shall collect all material relating to the Parent Assembly, including notice of meetings, accounts of meetings and entertainment given by or under the auspices of the Parent Assembly and determine what shall appear in its pages. He or she shall be responsible for publishing The Spellbinder monthly from September through June of each year.

### Section 10.

The Reporter shall collect and edit all material relating to the Parent Assembly to be published in M.U.M. and shall furnish such material each month to the Editor of M.U.M. and to the Editor of The Spellbinder and where appropriate, to the public press.

### Section 11.

The Archivist shall collect and file in suitable form for reference, photographs, programs, news-clippings and such personal data from the members as may be of interest, together with such information from any other source as shall tend to form a history of contemporary magic; he or she shall place on each piece so collected a stamp or impression indicating that Article is the property of the Parent Assembly.

### Section 12.

The Hosts shall guard the portals, allowing only those qualified to be admitted to the meetings. They shall maintain order, welcome guests, serve on the Ritual Staff, and otherwise serve the presiding officer as he or she may direct.

### Section 13.

The Trustees shall have the custody of all funds, securities and other investments of the Parent Assembly; except funds in the custody of the Treasurer, as provided in these by-laws; keep full and accurate accounts of all transactions pertaining to such funds and securities and other investments; deposit all monies, securities or evidences of other investments in the name of or to the credit of the Parent Assembly in such depositories or places of safekeeping as may be designated by the Board of Directors; disburse funds by check as ordered by the Board of Directors; render at each regular meeting of the Parent Assembly and at such other times as the Board of Directors may require, an account of all their transactions and a detailed statement of the various funds, securities and other investments in their custody of such other property of the Parent Assembly as the Board of Director may direct. Any two Trustees may act together without the approval of the Third Trustee. The Trustees shall have bank accounts with the signatures of any two Trustees required for withdrawals.

Should the Trustees take issue with any recommendations by the Board of Directors relating to their duties and responsibilities or which may impact the assets in their custody, they may bring the matter before the membership for resolution by majority vote at a duly constituted meeting.

### Section 14.

Each officer shall render such other and further reports, and perform such other duties at such time or times as he or she may be directed by the Board of Directors or by the members, as a body, of the Parent Assembly.

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Section 15.

The disposition or sale of magical equipment either willed or donated to the Parent Assembly shall be handled by the President and Secretary who will decide appropriate arrangements to be made after consideration of the particular facts and circumstances of each case.

Section 16.

No elected Parent Assembly official shall be entitled to financial compensation for fulfilling his or her duties, except with respect to out-of-pocket expenses incurred in the exercise of such duties.

**Article VIII – Committees and Their Duties**

Section 1.

The President, with approval from the Board of Directors, shall designate and appoint the standing committees; and shall fix the number of members to compose each such committee. Once such designation of a committee shall have been made, the committee shall continue to be considered as a standing committee without further action on the part of the Board of Directors until the designation of such committee shall be subsequently cancelled.

Section 2.

The President may from time to time designate such other committees and the number of members thereof, as it may seem desirable to create in order to carry out the objectives of the Parent Assembly.

Section 3.

The President shall name the following Parent Assembly officials, whose duties are outlined in Article VII of these by-laws and whose appointment shall be confirmed by the Board of Directors: Editor of The Spellbinder, the official publication of the Parent Assembly; Reporter; Archivist; First Host; Second Host; and Third Host.

Section 4.

There shall be a Committee on Admissions composed of not less than five members who shall be annually appointed by the President, who shall name its Chair. It shall investigate all applications for membership and report in writing its recommendations to the Board of Directors. It shall make its own rules and adopt its own procedure provided such rules and procedure are not in conflict with those prescribed by the National Council of the Society of American Magicians.

Section 5.

There shall be a Committee on Ethics, composed of three or more members who shall be appointed annually by the President, who shall name its chair. Its function shall be to review any charges brought by any member of the Parent Assembly against another member thereof, such charges limited to alleged violations of the Parent Assembly's Pledge, its Code of Honor, or professional or personal ethics. The Committee shall submit its findings to the Board of Directors which may forward its recommendations for action to the Parent Assembly which by 2/3 vote at a duly constituted meeting may choose to forward such recommendations to the National Council.

Section 6.

There shall be a Nominating Committee composed of seven members, six of whom shall be nominated and elected at the April meeting by the membership at large of the Parent Assembly, of which three shall be chosen from the Board of Directors and three from the membership. The seventh member shall be the incumbent Chair of the Board of Directors. The Nominating Committee shall elect a chair from among its number. The function of the Nominating Committee shall be to suggest a slate of officers who are considered qualified to serve and to announce the names at the May meeting. This slate will not preclude other members from making nominations from the floor at the same meeting nor preclude any member of the Nominating Committee from being a candidate for any office. The names of all nominees must be published in The Spellbinder, which is to be distributed to the members prior to the Annual Meeting in June when elections take place.

Section 7.

There shall be a Workshop Committee comprised of no less than two (2) members who shall be appointed annually by the President. This committee shall make recommendations to the Board of Directors regarding all appropriate rules and procedures concerning the operation of the Workshop and the allocation of funds in the annual Budget.

Section 8.

There shall be a Finance Committee whose chair shall be appointed by the President. Its members shall include the Treasurer, the Controller, a Trustee and at least 3 other Parent Assembly members named by the chair in consultation with the President. The Finance Committee's function shall be to prepare the annual budget of the Parent Assembly for approval by the

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Board of Directors, which shall be submitted to the Board prior to the first general meeting of the year; review annually or by request of the Board the Parent Assembly's financial reports and records; monitor the Parent Assembly's investment practices and policies relating to all Parent Assembly funds; and recommend changes in operations and management of the Parent Assembly's financial systems. The Finance Committee will also be responsible for reviewing, on an annual basis or upon request of the Board, the work of outside auditors, banking and investment relationships.

Section 9.

There shall be a Salute to Magic Committee, whose chair shall be the First Vice President, who shall recommend to the President the members of the Committee. The Committee shall plan and execute all aspects of this project, including arranging for a theater venue, selecting performers and negotiating their contracts, preparing a playbill and selling tickets to the show. The producer of the Salute to Magic need not be the First Vice President, but shall report to the First Vice President as chair of the committee. The Salute to Magic Committee shall recommend to the Board of Directors the Parent Assembly's Magician of the Year, to be publicly honored at that year's Salute to Magic. The Board, at a closed meeting and by secret ballot, shall select the Magician of the Year.

Section 10.

There shall be a Long Range Planning Committee, whose chair shall be appointed by the President. It shall be responsible for recommending policies and programs aimed at strengthening the Parent Assembly, both financially and programmatically, while meeting the needs of its members, especially with respect to advancing their knowledge and understanding of the Art of Magic.

Section 11.

All committees shall keep full and complete minutes and records of their meetings, actions and financial accounts, and shall permit the Controller to make examinations of their financial transactions whenever they may deem such examinations desirable and whenever they may be so directed by the Board of Directors. Failure on the part of a committee person to conform to this requirement shall render them liable to summary suspension by the Board of Directors.

**Article IX – General Fund and Ernst Fund**

Section 1.

General Fund

The Treasurer is responsible for the administration of the General Fund. Sources of revenue for this fund include, but are not limited to: membership dues, Salute to Magic receipts; auctions; and lecture fee income. This fund is responsible for all expenditures related to the operations of the Parent Assembly; such expenditures include, but are not limited to, rent for meeting rooms, lecturers, support services such as outside auditors, office supplies and services such as printing, insurance and banking.

Section 2.

Ernst Fund

Disbursements from the Parent Assembly's Ernst Fund shall be made only following approval by a majority vote of the members of the Board of Directors in an amount not to exceed \$20,000 in any one year, such sum to be used for the general benefit of the Assembly membership. Disbursements in excess of \$20,000 per annum may be made with a majority vote of the Board of Directors but only with the approval of two-thirds of the members present at a meeting of the Parent Assembly called pursuant to notice as required by these by-laws, such notice to specify the amount of the proposed disbursement and its purpose.

Section 3.

Amounts in the Ernst Fund of the Parent Assembly may be invested as directed by the Board of Directors. The Trustees shall implement such investments or policies or actions by the Board, which affect such investments. The Trustees shall recommend to the Board policies or actions they deem advisable with respect to managing the Ernst Fund's assets.

Section 4.

One of the purposes of the Ernst Fund shall be to alleviate causes of distress and to lend financial aid to those members who, in the judgement of the Trustees, are in actual need of financial assistance, but in no case shall the Trustees provide such aid for business or similar purposes.

All applications of a member for loans shall be in writing and shall be delivered to the Chairman or President who shall in turn refer the matter to the Trustees, which shall investigate all such applications.

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Loans in amounts not in excess of \$3,000.00 may be authorized on terms deemed appropriate by the Trustees.

The Trustees shall demand and receive a promissory note, issued by the borrower upon receiving the loan. All promissory notes and other evidence of indebtedness shall be delivered to and held by the Trustees.

After the due date any and all loans remaining unpaid, either in whole or in part, shall be referred to the Board for action. The Board shall make reasonable efforts to effect recovery; resorting to legal action if necessary.

Section 5.

The modification or rescission of any of the provisions pertaining to this Fund and the addition of other provisions thereto shall require a two-third majority vote of the Parent Assembly in regular session assembled, provided notice of such intention is included in the notice to members of such meeting.

Section 6.

If this Parent Assembly shall no longer be in existence, then any balance remaining shall be transferred to the National Council of the Society of American Magicians.

**Article X – Mysteries**

The Mysteries of the Society of American Magicians may be conferred in the Parent Assembly or by a deputy or deputies appointed by the President, who must confer the same in conformity with the Mysteries and Ritual of the Society.

**Article XI – Seal**

The official seal of the Parent Assembly shall be the same as that established by the organizers in 1902, except that the flame shall not be used. The Monogram, the Serpent and the title “Society of American Magicians” shall appear together with the words “Parent Assembly No. 1, Inc.” and the words “New York.”

**Article XII – Amendments**

Every proposition to amend by-laws shall be submitted to the Secretary and shall be in writing, and set forth the nature of the proposed change or changes. The said proposition shall be read at the next regular membership meeting after being received by the Secretary. Notice of the proposed changes shall be

incorporated in the notice for the next regular meeting succeeding the regular meeting at which the proposition shall have been read, and at such subsequent meeting of the Parent Assembly the body shall vote upon the proposed amendment. Should the proposed amendment be approved, the Secretary shall correct the bylaws accordingly and make available copies of the revised by-laws to the members of the Board of Directors and those Parent Assembly members requesting copies.

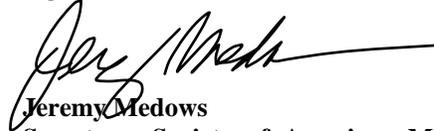
**Article XIII**

The by-laws of the Society shall in every respect be subjected to the Constitution and by-laws of the National Council of the Society of American Magicians, and in such respects, if any, as the within by-laws shall be in conflict therewith, the said Constitution and by-laws of the said National Council shall take precedence. Such provisions of the Constitution and by-laws of the National Council as may be omitted here from are hereby deemed included herein, with the same force and effect as though such provisions were set forth at length herein.

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**The above by-laws were voted on and passed by the members of the Parent Assembly on April 7, 2006.**

Signed,



**Jeremy Medows**  
**Secretary, Society of American Magicians Parent Assembly Number 1**