

*Outpost of Freedom*

presents

# **Unlike any other Government**

explaining where we came from;  
What happened along the way;  
and,  
What we need to do  
to get back to where we belong

by

Gary Hunt

July 4 (Independence Day

In the Year of our Lord 2009

and

In the Year of our Independence the 233rd

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## Preface

If you accept that we are currently governed by a government established under and by the authority of the Constitution, you may wish to stop reading, now. The intention of what follows is to bring to light only some of the many misdeeds of government. It also is intended to help the reader to understand what thought process the Founding Fathers used, when they created a government unlike any other government every before seen on Earth.

The Constitution was written as a set of guidelines for the operation of the government. As Thomas Jefferson said, "Let the Constitution be the chains that bind the Government".

We will explore where government has gone astray by violating that very document which created it, and in violation of the sacred oath they took on assuming their office of public trust.

We will also enter the realm of Administrative Agencies, perhaps even more destructive of our Liberty and Freedom than the violations of the Constitution.

When I was young, I recall the many political cartoons in Life, Look and the Saturday Evening Post magazines. There were some that ridiculed the Soviet Union, regarding its bureaucracy and hero worship. A cartoon might show a long line of people standing before an administrative building. A passer-by asks the woman at the end of the line, "what are you standing in line for?" To which the lady responds, "I don't know, but with this many people in line, it must be something I need!" We now find ourselves standing in line, we know not what for, more often than ever before. Waiting for something to happen that will improve our condition.

The Soviets were very prompt to create heroes out of the multitude of government personnel. In honoring a "hero" for his work, the citation might read, "For rescuing a dead cat from a fallen tree." The idea, quite simply, was to establish in the people the fact that all government employees are, somehow, superior because they just they do their jobs -- those jobs which they applied for and were given, knowing that the everyday duties of those jobs included such risks that are now rewarded, by both government and press, with accolades of "Hero". If a non-government person is the recipient of such an award, it is, most often, a child.

Firefighters who, fifty years ago, entered burning homes and brought family members and dogs out, alive, received only a paycheck on Friday. Today, we have entered that realm of hero worship.

This happened during the period of the McCarthy Hearings of the 1950s. Every effort was made to expose those who wanted to destroy the fabric of the self-governed nation, and replace it with Communistic, share the wealth, equality for all; to each based upon his needs, from each based upon his abilities.

Perhaps it was a form of Eugenics -- to try to expel those who would tear down what the Founding Fathers sacrificed so much for to build. If so, it is one that I can agree with.

People who come to this country with the intention of ignoring, or even eliminating, its culture, heritage and way of government, do not belong here. They are, at best, misguided into thinking that what was earned so dearly will be abandoned so lightly. This is America; This nation used to be a beacon to the world. The government, by submitting to whatever evils which have swayed them from what was intended, have betrayed the people of this Great Nation. The Founding Fathers, in their foresight, have left us instructions on how to right that wrong. It is our obligation; It is our duty, to return to and preserve -- the United States of America.

Gary Hunt

July 4th

In the Year of our Lord, 2009, and,

In the Year of our Independence, the 233rd.

# **Our Tumultuous Beginnings**

## **First American Tyranny**

Shortly after the close of the French and Indian Wars (1754-1763), the British, in order to pay the cost of the just ended war, decided to impose a tax on the colonies. The Parliament enacted tax laws that were only for the North American colonies, and did not even attempt to discuss the taxes with the lawful governments (colonial governments). Instead, without regard for the laws of England and the Rights of Englishmen, bypassed the established methods of taxation

Various efforts by the colonists to gain a voice and be heard occurred between 1765 (the Stamp Act) and 1773 (the Tea Act), and, although effective to some degree, never did achieve the desired goal of representation.

On April 19, 1775, Capt. John Parker, Commander of the Militia in Lexington, lined up forty to seventy Minute men on the Lexington Green. Standing ready, they faced a few hundred of the British under the direct command of Major Pitcairn. Pitcairn ordered the Minutemen to put down their arms and disperse. As some of the minutemen began to move away, a shot was fired. Moments later, eight colonists lay dead on the Green. According to John Adams, this was the end of the revolution and the beginning of the War for Independence.

During those early years, a revolution was taking place in America. As John Adams said in a letter to Thomas Jefferson (August 24, 1815):

*"...As to the history of the revolution, my ideas may be peculiar, perhaps singular. What do we mean by revolution? The war? That was no part of the revolution, it was only an effect and consequence of it. The revolution was in the minds of the people, and this was effected from 1760 to 1775, in the course of fifteen years, before a drop of blood was drawn at Lexington. The records of the thirteen legislatures, the pamphlets, newspapers in all the colonies ought to be consulted during that period, to ascertain the steps by which the public opinion was enlightened and informed concerning the authority of parliament over the colonies, ...*

Perhaps Mr. Adams was correct in that the revolution was the change of ideas rather than the war, itself.

The acts of tyranny transcend the mere concern over taxes. Governors were removed and replaced with Royal appointees; Assemblies were suspended; Writs of Assistance (warrants without affidavits or knowledge of a crime -- fishing expeditions) were issued, without judicial scrutiny; Accused individuals were transported to England for trial (where they were denied the benefit of witnesses and evidence); soldiers were quartered in homes and private property ransacked; guns, cannon, ball and powder were seized; and, the Rights of Englishmen were trampled in the dust.

During the course of these events, the colonists did not stand idle. Sons of Liberty organizations sprang up through most of the colonies. The Sons of Liberty, most often, took their orders from the Committees of Safety (an English tradition dating back to the 17th century, in the colonies), which were rapidly establishing themselves throughout the colonies.

## **Committees of Safety and Militia**

Prior to the War for Independence, Committees of Safety were being organized throughout the colonies. Committees (an English tradition and right), made their appearance in the colonies in the 17th century. In 1692, a Committee of Safety jailed and expelled a Royal Governor (Andros) of New England. Prior to the revolution, Committees formed their militia, primarily to protect

from Indian attack and provide night watchmen to give alarm in emergencies, such as fire or raids.

As the events that lead to the War continued, Committees made a return, in every colony, so that local government could deal with local problems, regardless of the ability, or inability of the Crown's government to deal with necessary functions. In 1774, Committees appointed delegates to the First Continental Congress (the Stamp Act Congress).

Militia were, by custom, subordinate to the Royal governor, should he call for them. Otherwise, they were subordinate to the Committee of Safety. The condition of subordination of the militia (military) to civil authority has roots back to the Magna Carta (1215).

This relationship would serve, though to a lesser degree as time went by, through the War, and would provide the foundation for the subsequent Articles of Confederation and the state constitutions.

### The Magna Carta

The authority for bearings arms, in the Magna Carta, is a common sense interpretation of the document. Item #1 provides that "all of the underwritten liberties" are retained. Though the Charter does not say, "the right to keep and bear arms", it does show that even those who were tenements on the land were able to possess the weapons of the day. Their obligation was to the next master in line (next higher level of government), which, in a present sense, would be the equivalent of the community, since serfdom is no longer practiced.

*1. In the first place we have granted to God, and by this our present charter confirmed for us and our heirs forever that the English Church shall be free, and shall have her rights entire, and her liberties inviolate; and we will that it be thus observed; which is apparent from this that the freedom of elections, which is reckoned most important and very essential to the English Church, we, of our pure and unconstrained will, did grant, and did by our charter confirm and did obtain the ratification of the same from our lord, Pope Innocent III, before the quarrel arose between us and our barons: and this we will observe, and our will is that it be observed in good faith by our heirs forever. We have also granted to all freemen of our kingdom, for us and our heirs forever, all the underwritten liberties, to be had and held by them and their heirs, of us and our heirs forever.*

*37. If anyone holds of us by fee-farm, either by socage or by burage, or of any other land by knight's service, we will not (by reason of that fee-farm, socage, or burage), have the wardship of the heir, or of such land of his as if of the fief of that other; nor shall we have wardship of that fee-farm, socage, or burage, unless such fee-farm owes knight's service. We will not by reason of any small serjeancy which anyone may hold of us by the service of rendering to us knives, arrows, or the like, have wardship of his heir or of the land which he holds of another lord by knight's service. [Note: serjeancy, as used herein, is the obligation to provide either service to the Crown, or to provide*

material, such as knives, arrows, a bow or lance, or other implements of war - Black's Law Dictionary, 5th Edition]

## What way to go?

Though John Adams perceived the revolution to be over by April 19, 1775, others were less inclined to separate from the Crown.

Though violence had preceded the events at Lexington and Concord, it had been isolated events, seldom with significant loss of life. From that day forward, the violence escalated, drastically. Fort Ticonderoga; Bunker Hill; Ninety-Six; South Carolina; Montreal, Canada; Norfolk, Virginia; Great Canebreak, South Carolina; Quebec City, Canada; Moore's Creek Bridge, North Carolina; Providence Island, Bahamas; Three Rivers, Canada; Sullivan's Island, South Carolina; Fort Moultrie, South Carolina; and hundreds of lesser contests between loyalists and patriots, throughout the colonies. All of these fought with the intention of convincing the Crown that the Rights of Englishmen belonged to the Colonists, and seeking that recognition from Parliament. All of these battles fought to demonstrate the sincerity of the colonists with their demand for change.

Thousands of lives lost, while committed only to a resolution of the grievances that had been repeatedly sent to the government to be addressed. Constant prayer that resolution would be found and arms set aside -- returning to the warm arms of Mother England.

Though there were few colonists who believed that there was no recourse but to separate, forever, from English rule, it wasn't until nearly fifteen months after the beginning of the war that the colonial government realized that too much had occurred to every believe that reconciliation could ever be achieved.

## Declaration of Independence

On July 4, 1776, the Declaration of Independence was formally signed. This magnificent document provides an insight into the thinking of the Founding Fathers. For example, it provides their explanation of the purpose of government: *"That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed..."* Those rights therein mentioned are enumerated as *Life, Liberty, and the Pursuit of Happiness*. Clearly, they have provided us an understanding the government was instituted to serve the interests of the people, not to serve the interests of the ruler, which concept was so prevalent in Europe.

They also provide us the reason that they had taken on the formidable task of separating from England, *"that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."*

They also explain the difficulty in coming to the point of separation with the explanation that *"Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed."*

Next, they explain the obligation that they impose upon the future, should events demonstrate that the government has deviated from its proper purpose.

*"But when long trains of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide for new guards for their future security."*

They then proceed with a list of grievances to reveal how the government of England has failed to serve the people, amongst which are:

*He has forbidden his governors to pass laws of immediate and pressing importance...*

*He has obstructed the administration of justice...*

*He has made judges dependent on his will alone*

*He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.*

*He has kept among us, in times of peace, standing armies*

*He has affected to render the military independent of and superior to the civil power.*

*He has combined with others to subject us to a jurisdiction foreign to our constitution, and acknowledged by our laws; giving his assent to their acts or pretended legislation:*

*For protecting them, by mock trial, from punishment for any murders they should commit on the inhabitants of these states:*

*For imposing taxes upon us without our consent:*

*For depriving us in many cases, of the benefits of a trial by jury:*

*For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.*

Perhaps we can see some parallels, here:

State enacted laws are superseded by federal enactments

Congress has established FISA (Foreign Intelligence Surveillance Act) courts

The independent judiciary, on many levels, has succumbed to administrative handouts funded by the federal government

The established bureaucracy (alphabet agencies) have become burdensome both in their imposition on our lives, and the costs of their maintenance.

Most every federal agency has been authorized to carry firearms, and some agencies have resorted to military equipment (tanks) to conduct their investigative duties.

Military forces have served in combat roles without declaration of war by the Congress, and have been directed to serve under the command of foreign officers.

Administrative agencies have been provided rule-making powers that are clearly imposed upon us outside of the protections of the Constitution.

Federal and state enforcement agencies have committed murder, with impunity, including the murder of women and children and the burning of churches and homes.

The government has, arbitrarily, determined that it can spend itself out of debt, that debt being imposed not only on us, but also on our posterity, for many generations to come.

By denying us the fundamental right to jury nullification, which had been prevalent throughout our history.

State laws and state initiatives have been made moot by federal agencies ignoring state law and punishing people who were acting totally within the laws within their respective state.

## Thoughts of the Founding Fathers

The thought process of the Founding Fathers was unconventional, for the times. Monarchy was the form of government, with few exceptions, in Europe. Never before had such a group of people been in a situation where what was being cast off did not have a replacement in the wings.

Political theory had abounded, the century before the revolution, but there had never been an opportunity to put such theory into practice.

One of the major theorists was John Locke. Locke was one of the Enlightenment philosophers, venturing into ideological arenas seldom entered before, by man. He challenged Sir Robert Filmer's Patriarcha, which had become the primary justification for the continuation of monarchical rule in Europe. Filmer explained the monarchy as rule by descendancy to the eldest son -- from Adam to the then present monarch (George I), as the authority by which the sovereign right came.

Locke argued to the contrary. He felt that man could establish government and govern, not rule, himself. The above-mentioned quotations on government contained in the Declaration of Independence are a paraphrase of portions of Locke's Second Treatise on Government. A more extensive presentation of Locke's theory will be included, after some other considerations.

## The First governments of the United States

### The Articles of Confederation

During the early days of the War for Independence from British Tyranny, the colonists realized the need for a common entity; a consolidation of the colonial effort was necessary. Each state, large and small in both area and population, had to find an expedient means that allowed them to, jealously, protect their newfound 'state' governments. The result, hastily prepared and entered into, was the Articles of Confederation and Perpetual Union (March 1, 1781). Though the term "united States of America" had been used in previous documents, the first document to create such an entity was the Articles of Confederation.

Each state, regardless of size or population, was given one vote in the Congress of the Confederation. States were not allowed to raise their own standing armies (though militias were allowed). The Articles also provided that it was created , " *... for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them...*"

### The problem with the Articles

The Articles provided that the debt incurred for the War would be acknowledged, and would be the obligation of the United States of America, though there was no provision that could force compliance of the states to contribute their share for the payment of such debt. Similarly, there were no means to force any state to contribute funds necessary for the obligations of government, or of manpower to continue the War.

After the War was concluded, a dilemma was created by the inability of the Congress to obtain sufficient support for other purposes of government. The government was foundering; unable to pay its debts; unable to sustain order within it realm; and, a multitude of other obstacles which kept it from performing its intended function. It was in a crisis.

The Articles, when formed, were done so hastily. It was an experiment that had no models, only theory, to follow. Through its first six years, the problems became apparent -- to a point that amendment was necessary, if the United States of America were to survive. It was with this in

mind that the states came together with the intention of making amendments to address the problems that had been exposed by practice

## **The Constitution**

As with almost any creative enterprise, or product, there is seldom success with the first venture. One of the major disparities in the Articles was that of representation. The states with larger populations felt that each man should have his vote. This idea found support in those colonies that were not so established, but had land areas sufficient to allow substantial growth to their respective populations. On the other side, smaller states, very dense in population, argued that since the government was a Union, each state should to be equally heard in Congress. After all, this was what composed the existing government -- created by the Articles, with equal representation to each state. The final solution was attendant to both arguments. The House of Representatives would be based upon the number of people within a state; this was the Republican form of government. The Senate would give each state equal say in the operations of that body; this was the democratic form of government. However, within each state a subsequent article in the Constitution guaranteed the Republican form of government

Next came the Executive. Many proposals were set forth, and finally a single executive, with the authority to carry out the will of the Congress, and to make recommendations to that Congress in an annual State of the Union address.

The judiciary was intended to remain impartial by not making the judges subject to changes in compensation, during their tenure.

The extent of the authority of the federal government was limited. Article I, Section 8 laid out the limits of authority granted by the people, for the government.

When the details had been ironed out, the Constitution was sent to each state for ratification, or rejection. A few states refused to ratify unless a Bill of Rights were adopted as a part of the Constitution. Eventually, the required nine states ratified the Constitution (June 21, 1788).

The Bill of Rights was submitted to the states for ratification, and was ratified on December 15, 1791.

The new government of the United States, which evolved from the Articles of Confederation was now the law of the land.

Though a brief explanation is provided, above, it is necessary to understand that a Preamble in a document is as much a part of the document as the text. The Preamble to the Constitution reads:

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

The purpose is clearly laid out, and is consistent with what was discussed, earlier, that the purpose of government is to protect Life, Property, and Liberty. Justice serves to that end; domestic Tranquility also serves to that end; providing for the common defense, serves that purpose no less; and, Promoting (not providing) the general Welfare is the final purpose, toward that same end.

Further, it should be noted that, for the first time in the history of the world, the People, even though done through representation at Constitutional ratification conventions, were the authority that created this new government. It was not created by the Articles of Confederation, nor was it based upon the descendancy from Adam, or a grant from God. It was the sovereign authority of

the People (which was considered a grant from God) which created this government and to soon be a great nation, as described above.

Seldom acknowledged is that the Bill of Rights was also ratified with a Preamble. The Preamble anticipated that some of the concerns not addressed in the Constitution should be addressed to assure that the proper role of government be observed. It read:

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

There can be little doubt, especially upon reading this Preamble (purpose) of the Bill of Rights, and Articles in Amendment number 9 and 10 that the authority of government is limited only to those powers enumerated therein.

Article 9

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

Article 10

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

These two articles are instrumental in tying the Constitution to the Declaration of Independence.

## **Sacrifices Betrayed?**

### **Violations of the Constitution**

During the course of the history of the United States of America, operating under the authority of the Constitution, there have been many violations of the Constitutions and unlawful usurpations of authority, which were not granted by the Constitution.

Though not intended to list all such violations, some significant ones will be addressed here:

#### **West Virginia**

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

Virginia seceded from the Union on April 17, 1861.

West Virginia was comprised of lands within the existing state of Virginia. It was made a state on June 20, 1863

The legislature of Virginia never gave the *Consent*, as required by the Constitution

Lincoln, as President, and in his proclaimed 'desire to uphold the Constitution and retain the Union', allowed the Congress to circumvent the Constitution in order to provide a Constitutional quorum in the legislature. A bit of a contradiction, which was never resolved by obtaining the "Consent" of Virginia, even after the Civil War was concluded.

## **The 14th Amendment**

The Congress proposed the 14th Amendment to the Constitution on June 13, 1866.

The ratification 3/4ths of the states, or 28 of the then 37 states), by states, is as follows:

Connecticut (June 25, 1866)

New Hampshire (July 6, 1866)

Tennessee (July 19, 1866)

New Jersey (September 11, 1866)\*

Oregon (September 19, 1866)

Vermont (October 30, 1866)

Ohio (January 4, 1867)\*

New York (January 10, 1867)

Kansas (January 11, 1867)

Illinois (January 15, 1867)

West Virginia (January 16, 1867)

Michigan (January 16, 1867)

Minnesota (January 16, 1867)

Maine (January 19, 1867)

Nevada (January 22, 1867)

Indiana (January 23, 1867)

Missouri (January 25, 1867)

Rhode Island (February 7, 1867)

Wisconsin (February 7, 1867)

Pennsylvania (February 12, 1867)

Massachusetts (March 20, 1867)

Nebraska (June 15, 1867)

Iowa (March 16, 1868)

Arkansas (April 6, 1868)

Florida (June 9, 1868)

North Carolina (July 4, 1868, after having rejected it on December 14, 1866)

Louisiana (July 9, 1868, after having rejected it on February 6, 1867)

South Carolina (July 9, 1868, after having rejected it on December 20, 1866)

Throughout our history, this is the only instance where, when a state had rejected ratification, it was later allowed to withdraw that rejection. Similarly, when Ohio\*, on January 15, 1868, attempted to withdraw its ratification, and, on February 28, 1868, New Jersey\* attempted to withdraw its ratification, both were rejected in their withdrawals. Prior to, and since the 14th Amendment, once a state ratifies or rejects a proposed amendment, that action is unchangeable.

The Constitution is clear on the ratification process. It can be submitted through the Congress or through a Convention, convened by the State legislatures. That if proposed

Amendments are submitted to the States for ratification, and "shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress."

It does not create a Turkey Shoot, where second shots can be had. The State Legislature, or the State Conventions, by "three-fourths vote", determine if the Amendment is ratified as a part of the Constitution, or not.

Pressure was brought to bear on three states, and, subjecting themselves to that pressure, they changed their vote. Two other states, absent pressure (a voluntary act) had second thoughts about the consequences of the Amendment, chose to change their vote. The three were granted, the two were denied.

Though the Constitution does not make clear whether ratifications can be retracted, or, when rejected, whether that first decision can be changed. Therefore, we must look to common sense, and, common sense dictates that only one or the other can apply. Histories of ratifications prior and subsequent to the 14th Amendment have not allowed the practice of change of the first choice.

So, though not clear in the Constitution history, common sense must prevail, and we must consider what was done with the 14th Amendment to be as much a violation of the Constitution, due to the double-standard, as was the creation of West Virginia, as a state. That the 14th Amendment was not ratified in accordance with the Constitution.

## **The Federal Reserve**

In 1913, the Congress enacted the Federal Reserve Act. Though there are many arguments respecting the unconstitutionality of the act, only one will be addressed here.

By establishing the Federal Reserve Bank, a consequence of the Federal Reserve Act, the authority to 'coin' money and 'regulate the value thereof' was granted to a private entity.

Article I, Section 8, clause 5 provides that congress has the power to:

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

It is clear that the Congress abrogated its responsibility, under the Constitution, "To coin Money", by allowing a private entity to "coin" money and set "regulate" its value (by giving the Federal Reserve Note the same value as the Gold

and Silver coin, and to remove the Congressional Responsibility and to pass it on to a private interest.

Congress abrogated its responsibility under the Constitution. Regardless of the arguments to the contrary, common sense, again dictates that the Constitution was violated.

## Gold removed

In 1917, Congress passed the Trading with the Enemy Act to primarily, which, under conditions of war, gave extraordinary powers to the President. World War I ended on November 11, 1918.

On Sunday, March 5, 1933, Franklin Roosevelt called for Congress to "convene in extra session" on March 9, 1933 [Proclamation 2038]. On the next day, he declared, by proclamation, a "bank holiday" which ran from Monday, March 6 through Thursday, March 9, inclusive. In the proclamation, he makes some rather interesting claims. He states that "*there have been heavy and unwarranted withdrawals of gold and currency . . . for the purpose of hoarding.*" and this "*has resulted in severe drains on the Nation's stocks of gold : and*"

"WHEREAS these conditions have created a national emergency"

He then goes on to refer to "*Section 5(b) of the Act of October 6, 1917, (40 Stat. L, 411) as amended 'That the President may investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of license or otherwise, any transactions in foreign exchange and the export, hoarding, melting, or earmarkings of gold or silver coin or bullion or currency \* \* \*'*"

Further, "*NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America in view of the national emergency and by virtue of the authority vested in me by said Act . . .*" (emphasis mine), and he declares the "holiday".

The "national emergency" that he spoke of was the extension of lending authority granted to the Federal Reserve Bank (FRB, established by the Federal Reserve Act, see above) just twenty years before. The FRB was unable to provide, in gold, the deposits on hand. The system of fractional banking had allowed them to extend credit well beyond the available "value" held in trust by the banks. This is the definition of bankrupt: "*The state or condition of one who is unable to pay his debts as they are, or become, due.*"

[Black's Law Dictionary, Fifth Edition]

Article I, Section 8, clause 5 provides that congress has the power to "*To coin Money, regulate the Value thereof, and of foreign Coin*", and, Article I, Section 10, clause 1, reads, in part: "*No State shall... make any Thing but gold and silver Coin a Tender in Payment of Debts...*"

In 1933, Congress set the value of gold at 32 dollars per ounce. Since that time, the value of gold has fluctuated based upon worldwide demand. The dollar, at present, based upon the value established indirectly by the Federal Reserve Bank (purchasing power) is over \$900 per ounce. Clearly, Congress has given up its responsibility to "regulate the value thereof, and has removed it from the public, prohibiting the states from fulfilling their obligation, under

## Ashwander v. TVA

Article III, Sections 1 and 2 of the Constitution reads:

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

Section 2: *The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;...*

All judicial power is vested in the supreme Court. That power extends to all Cases arising under this Constitution. Remaining provisions must be subordinate to those mentioned.

The protection of the People, and the assurance that the government acts in accordance with the Constitution, then, is clearly the responsibility of the Supreme Court.

In 1936, the Supreme Court ruled on a case, Ashwander vs. Tennessee Valley Authority. Judge Louis D. Brandeis, in an opinion concurring with the Court, provided us some insight into why we could no longer expect the Constitution to provide the restraints on government, as intended by the Founding Fathers. His opinion, in part:

*The Court developed, for its own governance in the cases confessedly within its jurisdiction, a series of rules under which it has avoided passing upon a large part of all the constitutional questions pressed upon it for decision. They are:*

1. *The Court will not pass upon the constitutionality of legislation in a friendly, nonadversary, proceeding, declining because to decide such questions is legitimate only in the last resort, and as a necessity in the determination of real, earnest and vital controversy between individuals...*

2. *The Court will not" anticipate a question of constitutional law in advance of the necessity of deciding it...It is not the habit of the Court to decide questions of a constitutional nature unless absolutely necessary to a decision of the case*

3. *The Court will not "formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied*

4. *The Court will not pass upon a constitutional question, although properly presented by the record, if there is also present some other ground upon which the case may be disposed of. This rule has found most varied application. Thus, if a case can be decided on either of two grounds, one involving a constitutional question, the other a question of statutory construction or general law, the Court will decide only the latter*

5. *The Court will not pass upon the validity of a statute upon complaint of one who fails to show that he is injured by its operation. Among the many applications of this rule, none is more striking than the denial of the right of challenge to one who lacks a personal or property right. Thus, the challenge by a public official interested only in the performance of his official duty will not be entertained.*

6. *The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.*

7. *When the validity of an act of the Congress is drawn in question, and even if a serious doubt of constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided.*

It would appear that a public servant, who felt that his duties violated the Constitution, could not get the Court to make a determination as to the Constitutionality of that duty. For example, if one of Hitler's SS troops felt that he was being told to do something that he perceived as a violation of the Constitution, he would have no standing to ask the Court for a determination. He would be compelled, by law, to "just do his job". (Number 5)

Once a person seeks a benefit from an agency (Social Security, Internal Revenue Service, Department of Motor Vehicles, Welfare, Child Protective Services, etc.), he is no longer protected by the Constitution, for the supreme Court will rule that, since he has availed himself of its benefits, he is bound by that agency's rules (number 6)

The First Amendment, Bill of Rights: "*Congress shall make no law respecting ... the right of the people peaceably ... to petition the Government for a redress of grievances.*"

In effect, the Court has removed itself as a means of 'redress of grievances, by allowing itself to 'rule' that they will not answer questions regarding the Constitutionality of laws, enactments, or rules promulgated by agencies (whether in violation of the Constitution, or not).

The supreme Court has, throughout our history, been the last resort for the determination of the Constitutionality of any law or enactment. The distinction between legal and lawful has, historically, hinged upon that final determination by the Court.

When the Court, by itself, can subordinate that important function, based upon rules promulgated by themselves, the Court has removed the common people from the protections of the Constitution.

They have provided a superiority to the administrative agencies of government, and an inferiority to the Supreme Law of the Land.

## **Vietnam**

Korea came and went, at the tail end and under the emotions of World War II. It is often referred to as "the Forgotten War", so we will leave it forgotten, for the purpose of this current work, though it does fall into a category similar to Vietnam.

Article I, Section 8, clause 11 provides that Congress shall have the power:

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

Nowhere else in the Constitution is there any provision for the declaration of war. The Founding Fathers felt that the power to declare war was too awesome a power to give to one man (the President). There can be little doubt as to their intentions, and we can look back, historically, and see that whenever war was declared, the reasons why the war was declared, and who the enemy was, were clearly stated.

Some will try to compare what Thomas Jefferson did when he sent the Marines to the Barbary Coast to deal with the Barbary Pirates, and their supporters. Jefferson, however, was acting under a true emergency. He declared his objectives and sent forth the powers of the United States to release those taken prisoner; to retrieve the lost cargoes, if possible; to recover the American

ships seized by the Pirates; and, to set forth to the world that the United States of America was not to be messed with. He went in, did the job and moved out. The Barbary affair was over.

In Vietnam, we saw an advisory venture -- an effort to train the native Vietnamese to control their own destiny. There was no defined enemy, as the enemy, for the most part, was South Vietnamese citizens, with aid coming from their allies in the North. We did not enter (until much later) the territory of the perceived enemy of North Vietnam, nor did Congress ever declare war and state the cause and the enemy.

After gradual escalations in forces, and after a rather controversial 'attack' on American military surveillance ships in the Gulf of Tonkin, Congress enacted "the Southeast Asia Resolution", Public Law 88-408. This law authorized President Lyndon Baines Johnson, without a declaration of war, to use military force in Southeast Asia. Congress had abrogated its responsibility, under the Constitution, to provide that safeguard against the power of one man.

There was no legally defined enemy. We were fighting insurgents who were simply in rebellion against their own government (involved in a civil war of another nation), and we were fighting well outside of the authority granted by the Constitution,

Eight years later, after spending billions of dollars and sacrificing the lives of over 58 thousand young American men, we withdrew, in defeat, from a war that was unlawful and unwinnable.

The Congress abrogated its responsibility, under Article I, Section 8, clause 11 of the Constitution, by allowing the President to have the effect, by his commitment of millions of soldiers to foreign soil, where tens of thousands of them died, of conducting a war on foreign soil, without the requisite declaration of war.

This is a violation of the Constitution by both Congress and the President, and denied the protection of the Constitution to those who fought and/or died in Vietnam.

## **Silver removed**

After a one year notice, requested by the United States Treasury Department, on June 24, 1968, the Treasury Department, and banks across the nation would no longer redeem Silver Certificates for silver coin. Silver had gone the way of Gold, in violation of the requirements of the Constitution, and without amendment thereto.

Just as with Gold, the Congress had allowed the value of coin to be established by a private entity, though in this instance, there was no longer any coin of the realm to compare values to.

The last means of paying debt, in accordance with the Constitution were completely removed by this act.

Again, the Constitution was twice violated.

## **Proliferation of bureaucracy**

We have frequently heard that our Constitutional Rights are being violated. Ironically, it has nothing to do with Constitutional Rights. It has to do with Bureaucracy -- A proliferation of Bureaucracy.

Ashwander v. TVA lays out for us just how this next step in creating a Police State occurs. There is nothing in the Constitution that prohibits you from contracting. In fact, Article I, Section 10 states: "*No State shall... pass any... Law impairing the Obligation of Contracts.*" So, if you contract for anything (privilege of driving, entering into marriage, build a house, open a business, receive anything from the government, etc.), you are bound by the contract. Moreover, since you receive something in return, your contract has the requisite 'consideration for consideration', which means that you have not gone into involuntary servitude. You are just plain stuck with the government as the overseer of all that you do.

Somewhere, the talons of Ashwander have ripped into your chest, and you cannot remove them. The result is what amounts to no less a Police State than Hitler had in 1930s Germany. In fact, the art has been so perfected by the existing government that it may be more powerful than that of Germany.

It is an insidious form of control, for the deception is such that you are lead to believe that it has nothing to do with Constitutional Rights ("don't bring that Constitution into my courtroom"), when, in fact, it has everything to do with the subtle destruction of those rights. Do we lose our rights just because the government says that they are there, but don't apply, in this case? Or, is it the obligation of government to "secure" those tights, and protect us from encroachment of them? If it was intended by the Founding Fathers that the latter is the case, then the police state that has evolved in this country is as much a violation of the Constitution as those mentioned above.

Some examples, though there are many more, follow.

## **Police state**

### **Prohibition**

In 1917, the Congress proposed an amendment to the Constitution. The Amendment was ratified 2 years later and became known as the 18th Amendment, or, "Prohibition". The Amendment reads as follows:

*Section. 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.*

*Section. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.*

*Section. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.*

It should be noted that the Amendment did not prohibit consumption of alcohol, it only made it difficult to obtain. Congress, back then, knew that they could not pass a law that worked directly on the people -- only on the commerce. The Amendment was needed because there was no other means, under the Constitution, to deny free men access to alcohol, except by an amendment to the Constitution. Meanwhile, cocaine and marijuana were dispensed at the corner drug store, without the need for a prescription from a doctor. Your health was in your own hands.

The Amendment was repealed, in its entirety, by the 21st Amendment on December 5, 1933. During its tenure, a number of things happened in the country that are significant. First was that juries would nullify the law by refusing, in many locations, to convict those who had been charged with alcohol related crimes. This right of "jury nullification" was fundamental to our sense of justice and that the people are the final arbiter of all laws. Just as had occurred after the

supreme Court had decided, in the Dred Scott vs. Sandford case (that a slave must be returned to its legal owner), where juries failed to convict those who ran underground railroads. Ultimately, the unpopularity of the Amendment, as attested by the jury nullification resulted in repeal.

During Prohibition, the groundwork was laid for the extraordinary growth of organized crime. The demand for 'illegal' alcohol was such that control of the trade yielded millions of dollars of profit. What had been small business had become so large that it covered most of the country and into parts of Canada. The diminishing remains of organized crime are still with us, today, many years after the end of Prohibition.

It also provided groundwork for the proliferation of administrative agencies, and the granting of extraordinary (extra constitutional) powers to these them.

The Great Depression, just a few years later, provided even more means for agencies to begin controlling our lives. Social Security began in 1935, though it was limited, then, only to people who worked for a corporation that had contracts with the government.

**Ashwander v. TVA** (above) provided the nexus for the proliferation of the police state that has evolved with those agencies.

Prohibition demonstrated that: it would require a Constitutional Amendment to control commercial production, sale, or transportation of a drug; that even with an Amendment, the government could not prohibit you using that drug; and, that an Amendment was required to grant the states the power to enforce federal laws.

With the advent of the police state, and supported by the refusal of the supreme Court to rule on Constitutionality, agencies can now promulgate rules which we are bound by, without recourse to the Constitution.

Local agencies, by virtue of receiving federal funds (yes, your dollars) have been 'greenmailed' into obedience to federal law, regardless of the Constitutionality of that law (Ashwander, #5).

Your ability to question a law would require that you first prove that you have not sought a benefit from the agency whose rules you have violated (a very expensive process, to go to the supreme Court).

Because of the foundation laid by Ashwander, we have become subject to bureaucratic rule. Following are just a very few of the inflictions imposed upon us by this police state:

### **Waco, Texas - February 28 - April 19, 1993**

During the morning press conference in Waco, Texas, during the siege of the Branch Davidian Church, Louis Beam asked a question. He asked, "Is what is happening here, in Waco, indicative of the coming police state? The speakers at the press conference (FBI and BATF) never responded to Mr. Beam's question, though after some whispering, we saw the Waco Police Department remove Mr. Beam from the press conference, at the point of a gun.

Again, at Waco, after the final reports were presented, we found that, perhaps, the BATF was a bit overzealous in conducting the raid that resulted in the deaths of more than a hundred men, women, and children. Yet, no federal agents were ever tried for a crime that cost so many lives.

In Waco, Texas, April 19, 1993, the FBI was armed with tanks, grenade launchers, fully automatic weapons and has its own team of snipers. This would appear to be a violation of the Posse Comitatus Act, which prohibits the use of the military against the people, but instead is merely the providing of military uniforms, fully automatic rifles, grenade launchers, sniper teams, tanks, and other military equipment to both tax collectors (BATF) and investigators (FBI).

It needs to be understood, also, that the police state provides protection for its agents.

After the Boston Massacre, Captain Preston and seven soldiers were charged with Manslaughter. Preston and five others were acquitted, because they acted to defend their lives. The other two were found guilty, but, through benefit of clergy, were branded and released.

So, the King's soldiers stood trial for killing civilians. They were acquitted because they had a right to defend their lives. They did not have immunity from prosecution, but they did have a right to defend themselves (a very fundamental right, without which, any other right has no meaning).

Eight of the Branch Davidians stood trial for numerous charges. Though there is no doubt that they were defending their lives, since all, except Paul Fatta, who was not in Mt. Carmel at the time, were charged with use of firearms on February 28, 1993, the day of the initial raid. All of them were convicted of the use of a firearm in the commission of a crime. They were not, however, convicted of a crime in which they used the firearm in the commission of.

The 'soldiers (BATF and FBI agents) were never tried to determine, by a jury, whether they had committed any crimes.

Clearly, the police state that exists in this country, today, is far more protective of those who support it (agencies and agents), and far less protective of the people within the country, who were protecting their very lives from an assault by tax collectors (BATF).

## **Ruby Ridge, Idaho - August 21 - August 31, 1992**

Months earlier, 14-year-old Sammy Weaver was shot in the back, and killed by US Marshals who were trespassing on the Weaver property at Ruby Ridge, Idaho. Later, his mother, Vicki Weaver, was assassinated by FBI sniper Lon Horiuchi. Vicki was unarmed and holding her newborn child in her arms. No federal agents were charged with a crime by federal authorities. Later, however, an Idaho Grand Jury indicted Horiuchi for involuntary manslaughter. Horiuchi petitioned to have the case transferred to federal court. US District Judge Edward Lodge ruled that, since Horiuchi was a federal officer acting in his official capacity, he was exempt from prosecution under the supremacy clause of the Constitution.

The supremacy clause (Article VI, paragraph 2) reads:

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

Further, during the siege, the Hostage Rescue Team Commander, Richard Rogers, amended the FBI standard rules of engagement to:

- 1. If any adult male is observed with a weapon prior to the announcement, deadly force can and should be employed, if the shot can be taken without endangering any children.*
- 2. If any adult in the compound is observed with a weapon after the surrender announcement is made, and is not attempting to surrender, deadly force can and should be employed to neutralize the individual.*
- 3. If compromised by any animal, particularly the dogs, that animal should be eliminated.*
- 4. Any subjects other than Randall Weaver, Vicki Weaver, Kevin Harris, presenting threats of death or grievous bodily harm, the FBI rules of deadly force are in effect. Deadly force can be utilized to prevent the death or grievous bodily injury to oneself or that of another.*

This was not an enactment of law by the Congress of the United States; it was made by a field commander of a bureaucratic agency of government. He authorized his people to KILL Americans for having a firearm on their own property. It does not require that a subject be

pointing his weapon in their direction, nor that the agent would have to feel that there was a direct and immediate threat to his life. It was all a charade to give justification, in writing, to kill the Weavers and Kevin Harris, if the opportunity arose.

Weaver and Harris stood trial, but were acquitted of any charges related to the incident at Ruby Ridge. Two of the State Attorneys were fined for falsifying evidence (since the case could have had capital consequence, they were actually trying to kill Weaver and Harris, again). Moreover, none of the agents who killed Sammy or Vicki Weaver was brought to trial. They were protected by the same agencies for which they work.

## **Malibu, Californian - October 2, 1992**

Donald P. Scott, age 61, owned and lived on a 200-acre property known as the Trails End Ranch in the Ventura County portion of Malibu, California. Based upon a sworn affidavit by Los Angeles County Sheriff's Deputy Gary R. Spencer, stating that with aerial surveillance it was determined that there were between 50 and 100 marijuana plants growing on the property, a search warrant was issued.

On Friday, August 2, 1992, 30 law enforcement officers (13 from Los Angeles Sheriff's Department, 5 from Los Angeles Police Department, 3 from the National Guard, 3 from the National Park Service, 2 from U.S. Forest Service, 2 from California Bureau of Narcotic Enforcement, and 2 from the federal Drug Enforcement Agency) gathered at the Los Angeles Sheriff's Malibu Station for briefing.

About 8:30 AM, the team forced entry into the home of Scott. Scott, who was awakened by the commotion, did not have time to dress before the entry was made. Frances Plante, who was already up, was hustled outside to other officers. Scott, responding to the commotion, came to the doorway to the living room with a gun. As described in the official report, "Scott was holding a gun in his right hand, with his palm and fingers around the cylinder rather than the butt. Scott's elbow was at his side with his forearm straight out or slightly up, his hand turned up with the barrel of the gun pointing at a 45-degree angle toward the ceiling. Scott was holding the gun with the barrel upward, as if he were going to hit someone rather than shoot it."

Spencer, then fearing for his life, he and another deputy fired three shots, at point blank range, killing Donald Scott in his own home. No evidence of marijuana or any other drugs were found in the home or on the property.

Ventura County, although they were never notified of a raid within their jurisdiction, did conduct the final report on the shooting. In their conclusions, the report states that:

*... Because it cannot be proven that Spencer knowingly lied in the affidavit, there is an insufficient basis for a perjury prosecution,*

*It is the District Attorney's opinion that the Los Angeles County Sheriff's Department was motivated, at least in part, by a desire to seize and forfeit the ranch for the government. .... This search warrant became Donald Scott's death warrant.*

*The evidence does not establish that Donald Scott intended a shoot out with the deputies. Nor is there any evidence to suggest that the deputies went to the ranch with the hope of killing Scott. When Deputy Spencer ordered Scott to lower his gun, Scott did so in a way that Spencer says caused him to fear for his life. ...The invalidity of the warrant does not form a sufficient legal or evidentiary basis for a homicide prosecution.*

It becomes apparent that the police state mentality, asset forfeiture, and nearly absolute impunity for law enforcement officers has become detrimental to not only our property, but our lives, as well.

Nobody was charged, to be tested by a jury of people, to determine if Donald Scott's life was taken as the result of criminal activity.

## **Agency State**

### **Children**

Child Protective Services is known by different names in some parts of the country, but there is little difference in the policies and activities of these insidious government agencies.

One event, which occurred about 1986 involved, separated parents. The mother, living with a child from the current marriage and two from a former marriage, lived on Ocala, Florida. The father lived in Orlando. One day, the father received a phone call from the hysterical mother. "They came in the house and told me to go to a room, and they took the children and terrorized them", she said. The father told her that he would be there, shortly, to see what he could do.

When he arrived, the mother explained that Child Protective Services had come to her door and said that they wanted to speak with the children; they said that they had received a report that the mother had abused the children. They demanded that she go into a bedroom and close the door while they asked the children some questions, and looked for signs of child abuse. They would not answer any questions, and they continued their 'examination' of the children for over half an hour. Finally, they allowed her to come out of the room and informed her that they found no evidence of child abuse. Again, they would answer no questions, though they did leave a business card.

The children were frightened, even after the CPS people had left. The oldest, a girl asked her mother if they were going to take her away from her mother. The mother had no idea what the answer to the question was.

The father arrived and the mother told him what had happened. He was irate, and took the business card and drove to the offices of the CPS. He demanded to see a supervisor, and, after repeated demands, was finally led to a room occupied by a woman who appeared to be a director. He explained what had occurred and insisted on seeing the report that had been filed. She denied his request, and the conversation continued. He explained that he was not going to leave the office until he was able to see the report. Finally, the women relented, left the office, and returned with a Xerox of the report that was filed. The father read the report and noted that there were a couple of items 'blacked out with a marker'. The obscured items was the name of the person filing the report and their address and phone number. The report, however, made clear that the report was called in over the telephone.

The father then insisted that," in accordance with the Constitution, we have a right to meet the accuser. You have provided nothing along the lines of what I requested. I want to see the report that caused your people to terrorize my family." After a very heated discussion, the women, again, left and returned, this time with a complete copy of the report. On this copy, which claimed that the person had personal knowledge that the mother abused the children, was blank in both the address and the phone number, however, in the box for the name of the person filing the report was written "anonymous".

Florida, when they adopted the child abuse database, determined that if ever anyone's name were entered in the database, it would never be removed. Consequently, the mother's name will, forever, be listed as a possible child abuser.

The father informed the CPS that if they were ever an investigation, again, into that family, that he be notified and be allowed to be present. The woman made some notes and assured him that he would be notified. Thus ends this story, but not the knowledge that someone who was an excellent mother will, forever, have her name on the rolls of those who have abused their children

There are many occurrences of CPS taking children away from their parents. Usually, when this occurs, any court proceedings come after the children are taken. The children have become the property of the state, which is provided substantial funds by the federal government, leaving families destroyed. Very few have had such a fortunate outcome as described above.

Administrative agencies have managed to, somehow, bring the children into their web. In most cases, welfare, or some other program advertised to help parents with their children, are the means by which the 'benefit' is sought, thereby binding the parents to the rules of the agency.

## **Property Forfeiture**

There are so many cases of property seizure and forfeiture that it difficult to know where to start. We have all read accounts of someone travelling with large amounts of cash in their car, or their purse or pocket. They are stopped by local law enforcement. They are asked to give permission to search the vehicle. Most often, the unwary driver says "yes".

The officer then searches the vehicle and finds a large amount of cash. He will probably let the person go, perhaps with a ticket, though sometimes with a simple, "you are free to go". The cash, however, is confiscated by the officer as "presumed to be the byproduct of criminal activity".

The cash is turned over to the court and a proceeding takes place, styled along the lines of "Acme County v. \$9,378 dollars in cash". Then, if the owner of the cash has the wherewithal to pay an attorney to represent the "cash" in the suit, they start watching the value of the cash reduced proportionate to the cost of the legal proceedings.

The 'court' is operating under the premise that the cash is a byproduct of criminal activity, therefore, the due process required by the Fifth Amendment is moot. Here, we come to a matter of interpretation of our contract with the government. The court assumes that the owner of the property has not been deprived of the property, even though the due process had been preceded by the confiscation of the property.

The Fifth Amendment:

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

So the complex legal question of whether you are deprived of your property when the officer takes it from you, or you are deprived of your property, which the officer deprived you of, only after the court finalizes the theft of your property. Thank God for attorneys because this is such a difficult interpretation of the wording of the Fifth Amendment.

However, maybe there is another "presumed right", of which we have all been told the existence of. That being you are presumed innocent until proven guilty. If that is true within the American judicial system, then the presumption of innocence applies both to you and to your cash. How can "byproduct of criminal activity" be assumed if there is no crime with which to associate the activity?

Finally, in what country in the world have we ever heard that you can be presumed to be criminal if you have lawful, or legal, coin of the realm in your pocket?

## Motor Vehicles

Did you ever wonder why the lender (lien holder) can reposes someone's car, without a court order? Quite simply, the person who thinks he owns the car doesn't really own it.

It starts when the car is bought. You fill out a neat little package of forms so that the dealer can take the package down to the Motor Vehicle Department (DMV) and get a temporary tag until the real tag arrives in your mailbox.

One, or more of the little cards that you fill out is called a "Power of Attorney". The Dealer takes the Power of Attorney and a piece of paper that he got when the car was delivered from the manufacture. That piece of paper is known as the Manufacture's Statement of Origin (MSO). You could say that it is the "birth certificate" for the automobile. When the dealer takes your Power of Attorney and the MSO, and, of course, some of your money, to the DMV, he asks them, under the authority of the Power of Attorney, to make the automobile a motor vehicle. The DMV will then issue a Certificate of Title. Now, this is where it begins to get interesting.

*Let's go to Black's Law Dictionary (5th Edition) to see how your car becomes a vehicle:*

"Certificate of title. See Insurance (Title insurance)" [page 206]

*It seems rather strange to have to look under "insurance" for "certificate of title", but, let's try it:*

Insurance \*\*\*\* {page 721}[deep into the many paragraphs, we find:]

Title insurance. Insurance against loss or damage resulting from defects or failure of title to a particular parcel of reality, or from enforcement of liens existing against it at the time of insurance. This form of insurance is taken out by the purchaser of the property or one loaning money on mortgage, and is furnished by companies specially organized for the purpose, and which keep complete sets of abstracts or duplicates of the records, employ expert title-examiners, and prepare conveyances and transfers of all sorts. A "certificate of title" furnished by such a company is merely the formally expressed professional opinion of the company's examiner that the title is complete and perfect (or otherwise, as stated), and the company is only liable for want of care, skill, or diligence on the part of its examiner.

So, what does that say? It says that the state, through the DMV, insures that the one loaning money is insured as to the title of the car. That is the lien holder, not you. Until the lien holder is removed from the title, it is their car. It also makes it commercial, it is being insured as a "motor vehicle".

So, what is a "motor vehicle"? For this, we have to go to the US Code, TITLE 18 - CRIMES AND CRIMINAL PROCEDURE, Section 31. Definitions. There, we find:

"Motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo

and,

"Used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit

So, by getting a Certificate of Title, in exchange for a Manufacture's Statement of Origin, you end up with a commercial vehicle that belongs to the lien holder, not you. And, you paid for it.

Since it belongs to them, they can take it, if you have breached the contract.

To make this charade as effective as possible, everybody keeps very quiet about it. So, unless you pay cash for a new car, and, ask for the MSO, you can expect to drive a commercial "motor vehicle" rather than a car.

## **Home Building Permits**

Did you ever wonder why, in a free country, you had to get a building permit to build a home? Even if you want to add a room, you must get a building permit.

Imagine, if you will, a covered wagon travelling across the vast plains of the Midwest, venturing out to California or Oregon, in search of a new life. They arrive as the winter snows begin to fall. They have been living out of their wagon for the past eight months, and are anxious to begin their new home.

As the father is cutting down trees, preparing them for cabin logs, a stranger walks up and says, "Sir, where is your building permit? You will need to have plans prepared by an architect. You will, if you want indoor plumbing, the work will have to be performed by a licensed plumber. Then, you will need a septic tank, so you will have to get a soil engineer's certificate of suitability of the soil for the septic tank. Thank God, there was no electricity, then.

Surely, they would have repacked their wagon and reversed their trek.

Under the guise of "for your own protection", agencies have grown out of the woodwork to assure that you don't endanger yourself by building a home of sod, logs, dirt, or even bricks.

Back in 1968, a Vietnam Veteran found an old house, in the hills south of Watsonville, California. The "Condemned" sign was still hanging on the door. He looked in the tax assessor's roll and found the owner, who lived in Southern California. He called them, made an appointment, visited them and left with an agreement to buy the house and property.

Back at the house, he replaced fallen plaster with sheetrock, dozens of broken windows, water heater, submersible well pump, cleaned the cistern for water storage, sanded and varnished floors, painted or papered walls, and rewired some of the electrical system, which had been installed in the house long after it was first built in 1929.

Being otherwise self-sufficient, he needed only to get the electricity turn on to make the now restored house a home.

He called the electric company and told them that he needed to get the electricity turned on. When the man arrived to turn the electricity on, he asked for the building permit. The Veteran said, "I don't have a building permit. I've only restored that which was."

"Well, do you have anything from the electrician who did the work?"

"I'm not an electrician, but I did the work."

"Well, you are supposed to have a building permit and it is supposed to be signed off by a certified electrician." As the electric company man was saying this, he was looking in the master electric panel. He then said, "Well, the work looks good, and, since you are going to be living here, I'll go ahead and turn the electricity on." which he did.

It seemed that there was a commercial tie to getting electricity in a house. Building permit, certified electrician, all of this just so he could turn his lights on? Would the government rather he live without electricity -- for his own safety?

So, how does this work? Well, if you contract any portion of the house to be built by someone else, the state has 'regulated' their trade -- for your safety. In that regulation, they have told him that he will lose his license if he does work without the proper permits.

Then, they tell all of the utility companies that they have to ascertain that there was a building permit and that any work performed under the permit has to have been done, and signed off by a

licensed professional, or the utility services cannot be turned on -- or, the utility company will lose its license.

As with Prohibition, the government cannot act on us, but can act on commercial entities. Once you have submitted an application for the building permit (remember Ashwander), you are bound by the rules of that agency. You have 'volunteered' to seek a benefit. And, you have been forced to volunteer because the commercial enterprises have been coerced into participation of the game that denies you their services unless you have the permit.

To add insult to injury, once the Building Permit is completed and signed off, the agency acknowledges that you have improved your property, and increases, based upon your 'admission', the value of the property tax assessment.

## **Borders**

### **What is an illegal immigrant?**

The Immigration and Nationality Act prohibits non-nationals from entering, or attempting to enter the United States at any time or place that has not been designated by an immigration officer. It also prohibits non-nationals from eluding immigration officers. Inspection and/or authorization are required for entry.

The U. S. Bureau of Customs and Border Protection, and its mobile division, The U. S. Border Patrol are responsible for apprehending individuals attempting to enter the United States illegally.

Even with these laws and agencies, it is estimated that over one-half million illegals enter the United States, each year.

There are three types of illegal immigrants: 1) entering without authorization and inspection; 2) staying beyond the authorized period for entry; and, 3) violating the requirements for legal entry. The first type accounts for over half of the illegal immigrants in this country.

### **Who enforces immigration laws?**

Illegal immigration is classed as a misdemeanor and subjects the person to extradition.

Under The United States Code, Title 8, Section 1103, the Powers and Duties of the Secretary of Homeland Security and the Attorney General of the United States have the authority to extradite illegal immigrants

### **There are an estimated 13 million illegal immigrants**

Since the Department of Homeland Security (DHS) has over 60 agencies within its department, with over 179 thousand employees and a budget in excess of \$28 billion, it is difficult to understand why the growth in numbers of illegal immigrants in this country continues to climb.

It has become apparent that the DHS is not interested in supporting local law enforcement in attempting to stem the flow of illegals or to identify them for extradition. In fact, there are a number of large cities in the United States that have enacted laws protecting illegal immigrants within their boundaries (Haven Cites).

Not only illegal immigrants, who flood the job market, even though they are criminals by being here, but drugs, weapons and possible terrorists, with intentions of death and destruction, are nearly guaranteed entry because of the negligence of the DHS and other responsible agencies.

The abrogation of their responsibility, under the law, creates risk to the citizens of this country, and provides a welcome mat for the continuation of illegal border crossings.

Often, employers are charged with a crime for employing illegal immigrants. The government and the agencies assigned to protect the borders, however, are immune from consideration of their failure to enforce the law of the land.

Though there are many causes for concern over what is happening in this country, only a few have been addressed, here. Surely, your concerns would fit into the above descriptions as nicely as those that have been included.

## **The Nature of Government**

Returning to John Locke, and his philosophy of self-government, that which the Founding Fathers modeled much of the founding of this nation after, is worthy of understanding, if we are to know enough about our government to understand what is necessary to return it to its proper role.

### **Dissolution of government**

We begin with the question, can government be dissolved?

Governments can be dissolved by a number of means. What history shows us, as the most common, was forceful encroachment by a conquering Army. The effect was dissolution of the government and subsequent dissolution of the society, for every nation is composed of both government and society. Generally, under these circumstances, society was disrupted and scattered to the winds. This form of dissolution has not existed for quite some time.

Another form is when an enemy force dissolves government, and replaces that government with a government of their own choosing. The result, in this instance, is dissolution of government by non-violent means, and subsequent dissolution of the society, which is replaced, through a slow transitional process, by a society unlike the one that was the source of the original government. We must not assume, in this circumstance, that the dissolution of government will, necessarily, take a forceful effort. The likelihood, in modern times, is that the dissolution of the government and subsequent dissolution of society will go unnoticed until history is revised and the transition is lost from existence, without a notice of its demise.

If the form of government within a nation has any form of representative capacity, the means by which dissolution may occur will take one of three forms. First, the executive may begin to arbitrarily impose his will on the elected representatives and the people. Slowly the rule of law deviates from its original intent, and slowly the dissolution process occurs.

There is also dissolution of government by delivery of the people to the influence of a foreign power. Eventually, the legislative body finds themselves subjected to a set of rules not of their making, but to which they must adhere, which, again, results in the demise of the government, as was originally intended, and the society as it becomes subject to that foreign power.

Finally, there is dissolution when the trust bestowed upon the existing government is betrayed, by whatever means. That trust, generally in the form of a constitution, forms a set of rules by which the government is empowered, with the belief that it will abide by such contract. Faith is necessary because there is a need to pass power to government so that it can conduct its business (thus the transition from the Articles of Confederation to the Constitution). When that power is directed in violation of the trust, ultimately it will be used to dissolve the society. The question here is, is the government dissolved as well? That answer shall be forthcoming.

### **How is a government dissolved?**

Governments, of the nature of legislative authority, are created by, and subject to the will of the people. They are creatures of the will of the people, and their purpose for existence is only to

protect the rights of the people, to the extent delegated, for the preservation of property and the protection of the life and liberty of the people. There is no other purpose for government whose authority is from the people, than the preservation and protection of the People's lives, rights and property.

Once it is recognized that government has begun to deviate from its intended purpose, and the delivery to a foreign power is apparent, the people are more likely to presume that there is nothing that can be done to change that course. Many will accept that those chosen to legislate and administer are far wiser than they are, and willingly subject themselves to the change that results in the conversion and dissolution.

Within any society, it is far easier, especially so long as there is sufficient bread on the table, to allow the trend to continue, accepting that this is the evolution of government as it should be. Little do they recognize that what they are experiencing is tyranny in the same form that has imposed itself upon people throughout history. The despotic nature of government will advise them that they are freemen while they are, at the same time, wrapping the chains of slavery gently around their lives. This is a form of mockery that is little understood by most. What is understood even less is that they not only have the right to get out of it, but to prevent it.

The protection of property being the most significant purpose of government, the power given to government must be limited to preclude any theft of property. When government, in an artful and crafty manner, begins the slow and meticulous theft of the property of the people, it has violated the sacred trust granted to it at its inception. Regardless of whether that theft is direct, or indirect, the outcome will be the same.

Government, then, when it does begin this process of conversion (dissolution of the intended government), has breached the trust of the people. The people, however, have not lost their right to the fundamental liberties, for the preservation of which the government was first formed. Instead, they have a responsibility to revise that form of government, to correct the errors and to rewrite the contract to provide for the protection of the property and the rights of the people to be secured.

## **Government imposed dissolution?**

What can be done to prevent this form of dissolution? Surely, a resort to the force of arms against those who have been granted the authority to use force of arms in the preservation of property is not an easily undertaken measure. What would rouse the people to return their government to that place and to those ends for which it was first erected?

Rebellion is the term that applies to those who seek to dissolve government, and society, from within. The determination of who the rebels, the usurpers, truly are is the question that must first be asked. If the government has drifted from the course first intended, and, after due notice, continues to deviate even further therefrom, and in that process imposes force of arms against the very people it was created to protect -- then that government, and all within it, have become the rebels, they are the ones that have sought to undo that which was first intended, and they are the ones that have resorted to armed force to impose their will upon the people. It is they who are guilty of rebellion. It is they who have created a state of war.

Who is it that would suggest to the populace that any who would denounce the actions of government, under the circumstances presented, as being the rebels? Those very people who had been selected as our representatives for the purpose of protection of property would proclaim that those who have found the need to protect their own fortunes are the usurpers, the "rebels". They would denounce them and accuse them of crimes against the state and against the people themselves. They would argue that these rebels must be subdued. Yet, who are the pirates, the robbers, and the thieves?

If the innocent, honest man must quietly quit all he has for the sake of peace -- to those that would impose violence upon him for protecting his own property, what kind of peace will we be subjecting ourselves to? Violence would be maintained only for the protection of the robbers and oppressors.

The end of government is for the good of mankind, and what is best for mankind is that they not be subjected to this form of tyranny. The duty of government is to resist these evils, and protect the people from them. The exorbitant use of government's power, when used for the destruction of that very society, and not for the preservation of the property of the people, is the worst form of tyranny that can befall mankind, for it came of trust, and results in slavery.

## **When does one act to stop the tyranny?**

Most of the people will not be willing to believe all accusations made by those who proclaim the evils of government. Those who first recognize the tyranny will be scorned. When only a few stir against this tyranny, they are looked upon as mischievous, and, likely to seek their own ruin.

Until the design of the despots has become apparent to a sufficient number, the greater numbers will be content to suffer rather than to right themselves by resistance to tyranny. Who, then, assumes responsibility to correct the problem before the goal of dissolution of both government and society has been achieved?

That determination is not one for earthly consideration. Simply, if the matter were cast before a court of the government, the ruling, without question, would be that those who support the dissolution are mistaken in their thoughts, and criminal in their nature. Under these circumstances, the course is set, and the goal of tyranny will be achieved. Those who oppose the course of government are incarcerated, or killed.

The only recourse that can allow a just consideration of action is the ruler of the universe, who speaks to each individually, but sets no mandate from which we can seek guidance. The judgment will come, not in our lifetimes, but when the final determination as to our destiny is made. History will tell a story and the evidence of the actions must stand on the merit of the arguments presented and to the actions taken.

History is as likely to condemn those who sat idly by as to look favorably upon those who sought to restore the institutions for which they have cast their lot for the protection of their property. Each of us must make his own decision as to what course must be taken, though we must remember that those who would usurp the faith and trust granted them are the worst criminals that can exist on the face of the earth, and should be treated accordingly -- punishment for crimes committed not only serves as a deterrent for future occurrence, but is just reward for those that commit those crimes.

Whoever uses force without right, who does so without true law, puts himself in a state of war against those against whom he so uses it -- and in this circumstance all former conditions of consideration cease to exist, all ties are canceled, all rights cease and each retains the right to defend himself as he sees fit, and to resist the aggressor. Moreover, he who resists, by the very nature of resistance, must be allowed to strike. Resistance only when backed into a corner is as cowardly as it is unsuccessful.

We all understand that an inferior cannot punish a superior, at least so long as he is the superior. When the state of war comes into existence, all former relations are canceled, and all respects and reverence for the superior ceases to exist. Since the original superior was the citizen who provided for the existence of government -- for the preservation of property -- that condition returns, and it is the superior who now comes forward to subdue the inferior, the usurper.

What then may happen that the people may, of right, and of their own authority, take up arms and set upon the government? Nothing can ever justify this form of action, for then, truly, the

aggressor would be the rebel. Not, at least, so long as the government remains the government. The people can never come by power over the government unless the government ceases to be a government and divests itself of its authority. Only when the people must revert to the state of private man, and bear the responsibility for the protection of his own property can they become free and superior.

Each must judge for himself whether government continues to serve as government, or ceases to be that government to which his allegiance is owed. Each must resolve -- in his own mind -- in his own heart -- and seek advice from heaven. Those who gave it can never remove the authority that each person gave as his share of the collective authority of government. It is the nature of community that requires that we all abide by that shared authority. Without that trust, that commitment, there can be no society, no commonwealth, no community, for that would be contrary to the original agreement, and a violation of the trust of our neighbors. The government can never revert to the people while the government lasts, nor should it divest itself of that authority. It is assumed that government will last forever, for that is the purpose for which it was first created.

When the miscarriages of those in authority have achieved a point so far removed from the original purpose, the government has forfeited its existence, and upon forfeiture, divests itself, and returns to each of us his respective share of the cumulative authority. Government reverts to society and the people have the right to act as the supreme, to continue to legislate as they see fit - - to erect a new form, or to repair the old, assuring that what has been learned has also been corrected. It is that state that we are currently in.

## **What can we do to restore the Constitution**

### **Disobey the Constitution - as Lincoln did**

Abraham Lincoln felt no compunction when he decided to ignore the Constitution to save the Union. Perhaps we need to enter our venture to restore the Constitution with the same sense of necessity. The Constitution sets out safeguards to protect us from government. The government has failed to abide by the Constitution, The Constitution sets forth what the government is. It is that portion of the Constitution that we need to consider, in its present administration. Is it complying with the dictates of the Constitution in the performance of its duties?

If not, are we bound to recognize it as the lawful government of the United States of America? Though it may be the legal (de facto) government, is it the lawful (de jure) government? If it is the latter, then there is nothing that can be done, it is in compliance with the Constitution. However, if it is the former, then it is, without doubt, the usurper of power that was never intended to be within its authority.

The Constitution still stands, but absent the government instituted by the Constitution, we have little choice but to regress to the Declaration of Independence, and regain the lawful government by the means outlined by the Founding Fathers -- to regain the rights of Englishmen (Americans).

### **Suspend judicial process**

How can this be accomplished when we realize that the judicial system has become a major player in the commandeering of power beyond the scope envisioned by the Founding Fathers?

We must consider the judicial process as suspended. That no judicial action regarding any and all efforts to regain a Constitutional government is valid and of force. This would mean that any who attempt to enforce judicial actions is outside of the law (constitutional), because the Court is acting outside of the law. During the War of Independence, all civil matters were suspended and only criminal actions heard, if conditions allowed. Those with enmity toward the cause were

jailed, and had their arms taken from them. Their property could become forfeit, if their actions were such as to be destructive of the cause.

Committees of Safety were empowered by their communities to deal with judicial matters, when necessary. There is no reason to believe that this expedient could not be restored.

## **The circumstances as they existed then, and as they exist, now.**

We need to look at the playing field that exists, today. It is not like that which the Founding Fathers played upon.

Then, there were spies and informants. Dr. Benjamin Church was a member of the Massachusetts Committee of Safety and on the examining board for surgeons, for the army. He was also a spy for General Gage of the British Army. He was found out and removed to Connecticut, and later released to sail for the West Indies.

Other spies roamed the countryside gathering information for the Crown.

Messages, back then, had to be transmitted with paper and ink. Even with code and disappearing ink, evidence was usually easily found, once suspicions were aroused.

Today, with electronic bugs, cell phones, and countless other electronic devices, transmission of information was considerably easier, and safer, then.

Informants that have infiltrated groups have been known to be the prime motivator of illegal activity; entrapping their fellow members and testifying against them (consider the suspension of judicial process, above).

Long-range eavesdropping equipment and long range visual capabilities provide even greater risk to endeavors that might have been easier for the colonists.

Though acts of violence, some resulting in deaths, and acts of destruction of property, were not uncommon, they were not looked upon with distain, as they are now.

We need to look at the playing field and determine that it cannot be allowed to defeat us, by its nature. Improvising and adapting are necessary to be able to play on the field.

Where does this all lead to?

## **The Process**

A question was raised, the other day, in a conversation. The question was, "Could a Revolution be conducted in the modern world considering modern technology, extensive government troops, and battle field weapons?" At first thought, the task seems so ominous, so daunting and against such odds, that it would be impractical, if not impossible.

Upon reflecting on what must have been equally daunting to the Founding Fathers, it is not, as first anticipated, such an ominous task,

The Founding Fathers faced British forces -- the best-trained and most successful military in the then world. Its navies were masters of the seas; its land forces had recently defeated the French and had forced colonization around the world. It controlled the local government, and had enacted laws that gave it nearly arbitrary control over the colonies. The colonies had few things working for them. They had a lack of experience, except those who had recently fought alongside the British in the French-Indian Wars; They had to defend themselves against hostile Indians, and thus learned certain tactics used by the Indians; They had local knowledge of the topography; and, They had the fortitude and persistence that had helped their forefathers, and themselves, overcome the obstacles of taming a land which had been little changed from its natural state.

Against them were: numbers of highly trained soldiers; unlimited supplies and resources, although many of them were located across the ocean and had to be transported; a multitude of locations, bases, within and around the colonies, mastery of the waterways; and, many of the leaders had experience both with fighting Indians and working alongside the colonists.

In those first eventful days of April, May and June 1775, the colonists learned what their weaknesses were and what some of their strengths were. They learned that they were not trained, nor were they inclined to fight face to face on the battlefield. They learned that the tactics of the Indians, ambush by surprise and hit and run tactics would damage both morale and manpower of the British. They learned that living to fight another day was more important than victory in a battle. One of the major drawbacks in their efforts was that of selecting officers who were astute enough to challenge the ways of traditional warfare.

But, they did, with the persistence and their faith in God, prevail -- not by might, rather by tactics and fortitude.

Just how would they fight, today? Perhaps they learned that politics should have less to do with officer selection than the competence of the man who would be chosen to lead them into harm's way. Surely, they would adapt their tactics to the 'battlefield' and would realize the political necessity of securing faith and assistance from the non-combatants. There are many other generalities that can be addressed, but of greater importance will be the actual circumstances of today's world and the necessity to develop new tactics in order to overcome obstacles that present themselves, as the battle begins

## **The Beginning**

Open confrontation would be out of the question. A degree of psychological warfare would probably serve best at the onset. Small teams composed of people who have known each other for years and who have never been charged with a crime would provide the best security. -- since plea agreements would be a logical means to force infiltration or of gaining an informant -- Communication between various teams should be limited and comparable to the information of those within a single team. The more you know, the more you can give up, if caught.

Joint operations can be conducted with two or more teams participating, and can lead to bigger, better and more successful operations.

Each team should have at least one person whose job includes dissemination of information about targets. Targets can be objects or individuals, though any target should have obvious and describable characteristics, which can be publicized.

Developing sympathetic focal points within the press is very important and information should be provided as soon as possible following an event, substantiating the necessity of the action taken. This would result in minimizing the government/press' ability to demonize your cause; For example, a police officer know to abuse people, whether prisoners, or civilian, is a likely target and one which sympathy for the action can be developed; A building that is used primarily for government communication can be disruptive of the government's efforts to conduct unconstitutional operations.

However, there will never be a single target that can develop sympathetic reactions from all of the public, there are thousands of targets that can result in a neutral if not a positive effect on a portion thereof. In target justification, your actions can never be random, nor can they be indiscriminant. Always maintaining a higher moral ground than that of the government will enhance your ability to sway people to the cause.

As styles and tactics are developed, they can be shared with others -- to enhance their operations. As public knowledge of what is occurring grows, more people who have concerns about government will realize that they will soon have to decide which side they are on.

What characteristics should a target have to be justified? Many people in positions of power or authority are among those who support the continuation toward tyranny in this country. If allegations exist that demonstrate a possible pattern to the actions of someone, then there is potential for that person to be targeted. If a person holds a position that is among those that will be utilized to 'enforce' the edicts of government, they are front line soldiers in the war against the New Patriots. However, attacking them without some 'dirt' that can be exploited carries a risk of disenfranchisement of some of the people. If these people are targeted, it is best to catch them in an act that demonstrates the need to deal with them -- such as making an unwarranted or ridiculous arrest of, or seizing property without a warrant.

What structures are potential targets? Many insurance companies have reneged on their obligation to compensate policyholders for losses. This is especially true of homeowners insurance companies that have failed to make whole the people who suffered from natural disasters, or opted out of their responsibility and encouraged the government to take the responsibility off their backs. There are communications facilities (long lines systems; microwave communications, etc.) that are targets that will have disruptive effects on the governments communications. Though this will also impact the public to some degree, the effect on government will be substantial and may be well worth the effort, if properly targeted.

Power is a necessary element for all of our lives, but even more so for the operation of government. Hospitals have back up power generations systems, as do most government facilities. If a power system that supports a government facility is to be targeted, it is probably more effective to take out their emergency system, first. When targeting power systems, the most desirable target is the transformer stations. Generating plants have standby generators, and can be readily replaced. Transformers are much more difficult to replace; each incident will reduce the availability of replacement transformers. Transformer sub-stations can be targeted based upon them providing service to government or other targeted operations, minimizing the effect on the public. At this point, transformer stations are relatively unsecured. Because they generate massive amounts of heat, they are set in arrays and enclosed, usually, only by security fencing.

Buildings, themselves, if they are headquarters for agencies, corporations are other entities that can be identified as oppressive, are good targets. Take heed from the misunderstandings in Oklahoma City, that they should be targeted for minimal loss of life.

Other possible targets would be those who have questionable practices that have been accepted as American for over a hundred years and have filed lawsuits to remove crosses, the Ten Commandments, Nativity displays and other Americana from public places.

Advocates of immorality, contrary to the morality that has been recognized by this country for nearly two centuries, might also be targeted.

## **What will be the effects of this Beginning effort?**

Many who have jobs solely because they pay well, provide great benefits, give them authority to assert themselves, or are just plain immoral to begin with, are peopled by individuals that are inclined to take any job which provides them a comfortable existence and a regular paycheck. Generally, those jobs are either without risk, or the odds are stacked in their favor, if elements of risk might arise. What happens if all of a sudden unanticipated risk creeps in to be a part of the job description? The greater the degree of risk, the sooner that person will find another place to work. If those positions cannot be readily filled, they begin having an impact on the reliance on that part of the system by the government.

The same is true in many of the businesses that are supportive of government actions, or otherwise potential targets. Even if there was no risk to life, the fact that the 'office' is no longer there will cause the employees to reconsider the benefits of working for that company. What if,

the next time, the building isn't empty, they ask themselves. As the risk increases, the availability of workers diminishes. It will not take long before that business is not operating as usual.

During this entire phase, the Beginning, operations should continue, as practicality and safety allow. Every event should have information disseminated so that the explanation behind each target can be justified, at least to some degree, in the eyes of the public. The government, in outrage over what is happening, is more likely to assert brutality, whenever they think that they have captured a person or people they believe are 'perpetrators'.

As public anxiety over events increases, the media coverage will also increase. It will be necessary for both targeting events and retaliations by government to be disseminated, as widely as possible. Find your line of communication, and keep it flowing. Those in the communications lines should follow how the information goes out into the mainstream. If it is twisted toward the unfavorable, the line that is being fed the information should be reconsidered. What you get out of what you do is totally under your control. Make the best of it.

### **Some Obstacles in the Beginning**

In most cases, there are things that must be dealt with before any activity takes place. One obstacle will be knowledge as to where the tens of thousands of cameras are located. If your people are properly disguised, and identification of vehicles is obscured this may not pose a problem. It doesn't hurt to begin anticipating being tracked, even in a disguised vehicle, by those many cameras. Some cameras can be destroyed, or temporarily disabled with a red laser. The problem is, you have to be in the line of sight of the camera to be able to have an effect on the electronics. Another option is a well-sighted 22-caliber rifle. A long rifle bullet may be sufficient, in most cases, though magnum loads might be more reliable for the desired destruction of the camera. This can be done from any position where a clear view of the camera can be had. In normal daytime activity, chances of the shot being heard and identified as a rifle shot are very slim. Since most of the cameras are now radio operated, destruction of the camera is the only solution. There are no wires to cut.

There is always the possibility that someone will be identified during an operation. Or, there may be something in his past that has made him a "person of interest" and subject to 'detention'. If you are aware of the possibility of one of these occurrences, it might be wise to take advantage of the situation, even if it means spending weeks in an ambush mode. If you can anticipate their avenue of approach, where they would be likely to set up a command area, where they would be likely to store equipment and park vehicles, you might have the upper hand. You need to understand, as in all military tactics, that they may anticipate such an action. Your planning has to be made with that in consideration. When one side thinks that it is superior to the other side, it is more prone to mistakes than the side that recognizes that it needs to make itself superior.

If the SWAT team cannot get out of their truck (alive), they cannot be an opposing force.

### **Expansion of the effort**

As the New Patriot organizations increase in size and competence, they will increase their ability to conduct larger operations. Small armies of New Patriots can encircle and force surrender of government bodies of armed men (police, sheriffs, National Guard, and military bases), forcing surrender, and then administering loyalty oaths or incarceration.

Over time, the ease of operation will become greater and greater. Still larger operations can be planned and carried out. Like a transfusion, new lifeblood will flow into the Constitution and the Great Experiment, which began in 1788.

## **Nationalizing the effort**

As the first phase continues, a network of active New Patriots will communicate over broader areas, bringing communication into a larger network, as time goes on. During these early stages, many who are not in complete sympathy with the Rebel cause will expose themselves and be removed from the system. As the New Patriot successes blossom, more will join the cause. Eventually, semblances of state governments (Committees of Safety) will appear in the underground level. Current politicians sympathetic to the cause, will leave their government positions and adhere themselves to the New Patriot side. Similarly, members of the establishment press will see the writing on the wall, and opt out of their current obligations to promote the cause of the New Patriots.

As the network enlarges, the means of conducting even larger operations will present itself. Slowly, as did during the American Revolution, the balance of power will shift away from the usurpers and pass to the New Patriots. They will be able to operate more openly, and will be able to convene for conducting the common business.

They will also be able to reach out to other countries in the world and seek assistance in the form of financing and equipment, perhaps even soldiers, navies and air force capabilities. Can you imagine how many countries would love to see the current US government displaced? France and Spain sure were desirous of seeing the British government displaced in 18th century America.

As local groups reach out and communicate with other groups, a form of underground government will evolve. A network will establish itself much as the Founding Fathers did, and each state will re-establish itself with a true (not corporate) government of the people.

It is quite possible that fear, by those who have usurped authority, unwarranted by the people or the Constitution, will flee, as Tories did during the Revolution. Eventually, they will be displaced, whether by flight, or by indictment for crimes committed and trial by a jury comprised of people who have taken an oath of loyalty to the true United States of America.

The strength of the effort, as it grows in popular support and acceptance by true Americans, will begin a scourge of those who had held power. Once displaced, their positions will be filled by those chosen by the people, and not filtered through political party structures.

## **The future of the United States of America, is in your hands**

Given the understanding of the real circumstances of the country that we live in, today; can there be any doubt that something needs to be done to correct the problem?

Consideration should always be given to peaceful means of resolution. However, when those means are effectively removed from the means of achieving results, are we forever committed to beat our heads against an impenetrable wall?

We can continue to demonstrate our displeasure with government by marching in the streets. This will give us a sense of doing something, but, as we can see by the past, it will effect no change in the course that the government has set.

We can support candidates of our choice, but if they are of one of the two political parties, they have earned their position by obedience to the party, not to the people.

If it is a candidate of another nature, then there is hope, though the odds are against election. However, if he were to succeed in getting elected, he would be just one voice screaming in the darkness of that pit called Congress. And, though you might hear him screaming, those in Washington will not even flinch for the noise that he makes.

What choice do we have that has any chance, whatsoever, of success? Is there anything that can be proposed which might have even a slight chance of success?

The Tea Party of Boston was an element in the revolution. It is time to understand that the revolution is over, and, that the time has come for the action that follows that change in thought. That is the action that brings about change. It is not irresolution; rather, it is an absolute commitment to do our duty, in accordance, not with the Constitution, but with the Declaration of Independence.

## **Mice? or Men?**

The Boston Committee of Correspondence met at Faneuil Hall on the evening of June 27, 1774. Samuel Adams was elected moderator, but stood down from his position after a Tory announced that Boston should censure the committee. The British had begun raising their complement in Boston, and the Committee, just a few weeks earlier, had approved sending a delegation to what would become known as the First Continental Congress.

"A Grecian philosopher," Adams said, "who was lying asleep upon the grass, was aroused by the bite of some animal upon the palm of his hand. He closed his hand suddenly as he woke and found that he had caught a field mouse. As he was examining the little animal who dared to attack him, it unexpectedly bit him a second time, and made its escape."

"Now, fellow citizens," he continued, "what think you was the reflection he made upon this trifling circumstance? It was this: that there is no animal, however weak and contemptible, which cannot defend its own liberty,

*if it will only fight for it.*