

"During this banking holiday it was at first believed that some form of script or emergency currency would be necessary for the conduct of ordinary business. We knew that it would be essential when the banks reopened to have an adequate supply of currency to meet all possible demands of depositors. Consideration was given by government officials and various local agencies to the advisability of issuing clearing-house certificates or some similar form of local emergency currency. On March 7, 1933, the Secretary of the Treasury issued a regulation authorizing clearing houses to issue demand certificates against sound assets of the banking institutions, but this authority was not to become effective until March 10th. In many cities, the printing of these certificates was actually begin, but after the passage of the [Emergency Banking Act of March 9, 1933 \(48 Stat. 1\)](#), it became evident that they would not be needed, because the Act made possible the issue of the necessary amount of emergency currency in the form of Federal Reserve bank-notes which could be based on any sound assets owned by banks."

Roosevelt could now issue emergency currency under the Act of March 9, 1933 and this currency was to be called Federal Reserve bank notes. From Title 4 of the Act of March 9, 1933:

"Upon the deposit with the Treasurer of the United State, (a) of any direct obligations of the United States or (b) of any notes, drafts, bills of exchange or bankers' acceptance acquired under the provisions of this Act, any Federal Reserve Bank making such deposit in the manner prescribed by the Secretary of the Treasury shall be entitled to received from the Comptroller of the currency circulating notes in blank, duly registered and countersigned."

What is this saying? It says (emphasis is ours): "Upon the deposit with the Treasurer of the United States, (a) of any direct obligation of the United States . . ." What is a direct obligation of the United States? It's a treasury note, which is an obligation upon whom? Upon We, the People, to perform. It's a taxpayer obligation, isn't it?

Title 4 goes on: "or (b) of any notes, drafts, bills of exchange or bankers' acceptances . . ." What's a note? If you go to the bank and sign a note on your home, that's a note, isn't it? A note is a private obligation upon We, the People. And if the Federal Reserve Bank deposits either (a) public and/or (b) private obligation of We, the People, with the Treasury, the Comptroller of the currency will issue this circulating note endorsed in blank, duly registered and countersigned, an emergency currency based on the (a) public and/or (b) private obligations of the people of the United States.

In the Congressional Record of March 9, 1933, we find evidence that our

congressmen didn't even have individual copies of the bill to read, on which they were about to vote. A copy of the bill was passed around for approximately 40 minutes.

Congressman McFadden made the comment:

"Mr. Speaker, I regret that the membership of the House has had no opportunity to consider or even read this bill. The first opportunity I had to know what this legislation is, was when it was read from the clerk's desk. It is an important banking bill. It is a dictatorship over finance in the United States. It is complete control over the banking system in the United States . . . It is difficult under the circumstances to discuss this bill. The first section of the bill, as I grasped it, is practically the war powers that were given back in 1917."

Congressman McFadden later says:

"I would like to ask the chairman of the committee if this is a plan to change the holding of the security back of the Federal Reserve notes to the Treasury of the United States rather than the Federal Reserve agent."

Keep in mind, here, that, prior to 1933, the Federal Reserve bank held our gold as security, in return for Federal Reserve gold notes which we could redeem at any time we wanted. Now, however, Congressman McFadden is asking if this proposed bill is a plan to change who's going to hold the security, from the Federal Reserve to the Treasury.

Chairman Steagall's response to Congressman McFadden's question, again from the Congressional Record.:

"This provision is for the issuance of Federal Reserve bank notes; and not for Federal Reserve notes; and the security back of it is the obligations, notes, drafts, bills of exchange, bank acceptances, outlined in the section to which the gentleman has referred."

We were backed by gold, and our gold was seized, wasn't it? We were penniless, and now our money would be secured, not by gold, but by notes and obligations on which We, the People were the collateral security.

Congressman McFadden then questioned:

"Then the new circulation is to be Federal Reserve bank notes and not Federal Reserve notes. Is that true?"

Mr. Steagall replied:

"Insofar as the provisions of this section are concerned, yes." Does that sound familiar?

Next we hear from Congressman Britten, as noted in the Congressional Record:

"From my observations of the bill as it was read to the House, it would appear that the amount of bank notes that might be issued by the Federal Reserve System is not limited. That will depend entirely upon the amount of collateral that is presented from time to time for exchange for bank notes. Is that not correct?"

Who is the collateral? We are we are chattel, aren't we? We have no rights. Our rights were suspended along with the Constitution. We became chattel property to the corporate government, our transactions and obligations the collateral for the issuance of Federal Reserve bank notes.

Congressman Patman, speaking from the Congressional Record:

"The money will be worth 100 cents on the dollar because it is backed by the credit of the Nation. It will represent a mortgage on all the homes and other property of all the people in the Nation."

It now is no wonder that credit became so available after the Depression. It was needed to back our monetary system. Our debts, our obligations, our homes, our jobs we were now slaves for the system.

### **From Statutes at Large, in the Congressional Record:**

"When required to do so by the Secretary of the Treasury, each Federal Reserve agent shall act as agent of the Treasury of the United States or of the Comptroller of the currency, or both, for the performance of any functions which the Treasurer or the Comptroller may be called upon to perform in carrying out the provisions of this paragraph."

The Federal Reserve was taken over by the Treasury. The Treasury holds the assets. We are the collateral ourselves and our property.

To summarize briefly: On March 9, 1933 the American people in all their domestic, daily, and commercial transactions become the same as the enemy.

The President of the United States, through licenses or any other form, was given the power to regulate and control the actions of enemies. He made We, the People, chattel property; he seized our gold, our property and our rights; and he suspended the Constitution. And we know that current law, to this day, says that all proclamations issued heretofore or hereafter by the President or the Secretary of the Treasury are approved and confirmed by

Congress. Pretty broad, sweeping approval to be automatic, wouldn't you agree?

On March 11, 1933, President Roosevelt, in his first radio "Fireside Chat" makes the following statement:

"The Secretary of the Treasury will issue licenses to banks which are members of the Federal Reserve system, whether national bank or state, located in each of the 12 Federal Reserve bank cities, to open Monday morning."

It was by this action that the Treasury took over the banking system.

Black's Law Dictionary defines the Bank Holiday of 1933 in the following words:

"Presidential Proclamations No. 2039, issued March 6, 1933, and No. 2040, issued March 9, 1933, temporarily suspended banking transactions by member banks of the Federal Reserve System. Normal banking functions were resumed on March 13, subject to certain restrictions. The first proclamation, it was held, had no authority in law until the passage on March 9, 1933, of a ratifying act (12 U.S.C.A. Sect. 95b). Anthony v. Bank of Wiggins, 183 Miss. 833, 184 So. 626. The present law forbids member banks of the Federal Reserve System to transact banking business except under regulations of the Secretary of the Treasury, during an emergency proclamation by the President. 12 U.S.C.A. Sec. 95"

Take special note of the last sentence of this definition, especially the phrase, "present law". The fact that banks are under regulation of the Treasury today, is evidence that the state of emergency still exists, by virtue of the definition. Not that, at this point, we need any more evidence to prove we are still in a declared state of national emergency.

### From the Agricultural Adjustment Act of May 2, 1933:

"To issue licenses permitting processors, associations of producers and others to engage in the handling, in the current of interstate or foreign commerce, of any agricultural commodity or product thereof".

This is the seizure of the agricultural industry by means of licensing authority. In the first hundred days of the reign of Franklin Delano Roosevelt, similar seizures by licensing authority were successfully completed by the government over a plethora of other industries, among them transportation, communications, public utilities, securities, oil, labor, and all natural resources.

The first hundred days of F.D.R. saw the nationalization of the United States, its people and its assets. What has Bill Clinton talked about during his campaign and early presidency? His first hundred days.

Now, we know that they took over all contracts, for we have already read: "No contract is considered as valid as between enemies, at least so far as to give them a remedy in the courts of law of either government, and they have, in the language of civil law, no ability to sustain a persona standi in judicio."

**They have no personal rights at law. Therefore, we should expect that we would see in the statutes a time when the contract between the Federal Reserve and We, the People, in which the Federal Reserve had to give us our gold on demand, was made null and void.**

Referring to House Joint Resolution 192 (June 5, 1933):

"That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount of money of the United States measured thereby is declared to be against public policy; and no such policy shall be contained in or made with respect to any obligation hereafter incurred."

Indeed, our contract with the Federal Reserve was invalidated at the end of Roosevelt's hundred days. We lost our right to require our gold back from the bank in which we had deposited it.

### **Returning once again to the Roosevelt Papers:**

"This conference of fifty farm leaders met on March 10, 1933. They agreed on recommendations for a bill, which were presented to me at the White House on March 11th by a committee of the conference, who requested me to call upon the Congress for the same broad powers to meet the emergency in agriculture as I had requested for solving the bank crisis."

What was the "broad powers"? That was the War Powers, wasn't it? And now we see the farm leaders asking President Roosevelt to use the same War Powers to take control of the agriculture industry. Well, needless to say, he did. We should wonder about all that took place at this conference, for it to result in the eventual acquiescence of farm leadership to the governmental take-over of their livelihoods.

### **Reading from the Agricultural Adjustment Act, May the 12th, Declaration of Emergency:**

"That the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of agriculture and other commodities, which disparity has largely destroyed the purchasing

power of farmers for industrial products, has broken down the orderly exchange of commodities, and has seriously impaired the agricultural assets supporting the national credit structure, it is hereby declared that these conditions in the basic industry of agriculture have affected transactions in agricultural commodities with a national public interest, have burdened and obstructed the normal currents of commerce in such commodities and rendered imperative the immediate enactment of Title 1 of this Act.

Now here we see that he is saying that the agricultural assets support the national credit structure. Did he take the titles of all the land? Remember Contracts Payable in Gold? President Roosevelt needed the support and agriculture was critical, because of all the millions of acres of farmland at that time, and the value of that farmland. The mortgage on that farmland was what supported the emergency credit. So President Roosevelt had to do something to stabilize the price of land and Federal Reserve Bank notes to create money, didn't he? So he impressed agriculture into the public interest. The farming industry was nationalized.

**Continuing with the Agricultural Adjustment Act, Declaration of Emergency:**  
"It is hereby declared to be the public policy of Congress . . . ."

**Referring now back to Prize Cases (1862) (2 Black, 674):**

"But in defining the meaning of the term 'enemies' property', we will be led into error if we refer to Fleta or Lord Coke for their definition of the word, 'enemy'. It is a technical phrase peculiar to prize courts, and depends upon principles of public policy as distinguished from the common law."

Once the emergency is declared, the common law is abolished, the Constitution is abolished and we fall under the absolute will of Government, public policy.

All the government needs to continue is to have public opinion on their side. If public opinion can be kept, in sufficient degree, on the side of the government, statutes, laws and bills can continue to be passed. The Constitution has no meaning. The Constitution is suspended. It has been for 60 years. We're not under law. Law has been abolished. We're under a system of public policy, (War Powers).

So when you go into that courtroom with your Constitution and the common law in your hand, what does the judge tell you? He tells you that you have no persona standi in judicio. You have no personal standing at law. He tells you not to bother bringing the Constitution into his court, because it is not a Constitutional court, but an executive tribunal operating under a totally different jurisdiction.

From Section 93-549 (emphasis is ours):

"Under this procedure we retain Government by law special, temporary law, perhaps, but law nonetheless. The public may know the extent and the limitations of the powers that can be asserted, and the persons affected may be informed by the statute of their rights and duties."

If you have any rights, the only reason you have them is because they have been statutorily declared, and your duties well spelled out, and if you violate the orders of those statutes, you will be charged, not with a crime, but with an offense.

Again from 93-549, from the words of Mr. Katzenbach:

"My recollection is that almost every executive order ever issued straddles on several grounds, but it almost always includes the Trading With the Enemy Act because the language of that act is so broad, it would justify almost anything."

Speaking on the subject of a challenge to the Act by the people, Justice Clark then says:

"Most difficult from a standpoint of standing to sue. The Court, you might say, has enlarged the standing rule in favor of the litigant. But I don't think it has reached the point, presently, that would permit many such cases to be litigated to the merits."

Senator Church then made the comment:

"What you're saying, then, is that if Congress doesn't act to standardize, restrict, or eliminate the emergency powers, that no one else is very likely to get a standing in court to contest."

No persona standi in judicio no personal standing in the courts.

## Continuing with Senate Report 93-549:

"The interesting aspect of the legislation lies in the fact that it created a permanent agency designed to eradicate an emergency condition in the sphere of agriculture."

These agencies, of which there are now thousands, and which now control every aspect of our lives, were ostensibly created as temporary agencies meant to last only as long as the national emergency. They have become, in fact, permanent agencies, as has the state of national emergency itself. As Franklin Delano Roosevelt said: "We will never go back to the old order." That quote takes on a different meaning in light of what we have seen so far.

In Senate Report 93-549, we find a quote from Senator Church:

"If the President can create crimes by fiat without congressional approval, our

system is not much different from that of the Communists, which allegedly threatens our existence."

We see on this same document, as a Title, the words, "Enormous Scope of Powers . . . A Time Bomb".

Remember, this is Congress' own document, from the year 1973.

Most people might not look to agriculture to provide them with this type of information. But let us look at Title III of the Agricultural Adjustment Act, which is also called the Emergency Farm Mortgage Act of 1933:

"Title III Financing And Exercising Power Conferred by Section 8 of Article I of the Constitution: To Coin Money and To Regulate the Value Thereof."

From Section 43, of Exhibit 52:

"Whenever the President finds upon investigation that the foreign commerce of the United States is adversely affected . . . and an expansion of credit is necessary to secure by international agreement a stabilization at proper levels of the currencies of various governments, the President is authorized, in his discretion . . . To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks . . . ."

Remember that in the Constitution it states that Congress has the authority to coin all money and regulate the value thereof. How can it be then that the Executive branch is issuing an emergency currency, and quoting the Constitution as its authority to do so?

Under Section 1 of the same Act we find the following:

"To direct the Secretary of the Treasury to cause to be issued in such amount, or amounts as he may from time to time order, United States notes, as provided in the Act entitled 'An Act to authorize the issue of United States notes for the redemption of funding thereof and for funding the floating debt of the United States, approved February 25, 1862, and Acts supplementary thereto and amendatory thereof'."

What is the Act of February 25, 1862? It is the Greenback Act of President Abraham Lincoln. Let us remember that, when Abraham Lincoln was elected and inaugurated, he didn't even have a Congress for the first six weeks. He did not, however, call an extra session of Congress. He issued money, he declared war, he suspended habeas corpus, it was an absolute Constitutional dictatorship. There was not even a Congress in session for six weeks.

When Lincoln's Congress came into session six weeks later, they entered the following statement into the Congressional record: "The actions, rules, regulations, licenses, heretofore or hereafter taken, are hereby approved and confirmed . . . ." This is the exact language of March 9, 1933 and Title 12, USC, Section 95 (b), today.

We now come to the question of how to terminate these extraordinary powers

granted under a declaration of national emergency. We have learned that, in order for the extraordinary powers to be terminated, the national emergency itself must be cancelled. Reading from the Agricultural Act, Section 13: "This title shall cease to be in effect whenever the President finds and proclaims that the national economic emergency in relation to agriculture has been ended."

Whenever the President finds by proclamation that the proclamation issued on March 6, 1933 has terminated, it has to terminate through presidential proclamation just as it came into effect. Congress has already delegated all of that authority, and therefore was in no position to take it back.

In Senate Report 93-549, we find the following statement from Congress: "Furthermore, it would be a largely futile task unless we have the President's active collaboration. Having delegated this authority to the President in ways that permit him to determine how long it shall continue, simply through the device of keeping emergency declarations alive we now find ourselves in a position where we cannot reclaim the power without the President's acquiescence. We are unable to terminate these declarations without the

President's signature, so we need a large measure of Presidential cooperation."

It appears that no President has been willing to give up this extraordinary power, and if, they will not sign the termination proclamation, the access to, and usage of, extraordinary powers does not terminate. At least, it has not terminated for over 60 years.

Now, that's no definite indication that a President from Bill Clinton on might not eventually sign the termination proclamation, but 60 years of experience would lead one to doubt that day will ever come by itself. But the question now to ask is this: How many times have We, the People, asked the President to terminate his access to extraordinary powers, or the situation on which it is based, the declared national emergency? Who has ever demanded that this be done? How many of us even knew that it has been done? And, without the knowledge contained in this report, how long do you think the blindness of the American public to this situation would have continued, and with it the abolishment of the Constitution? But we're not quite as in the dark as we were, are we?

**In Senate Report 93-549, we find the following statement from Senator Church:**

"These powers, if exercised, would confer upon the President total authority to do anything he pleased."

Elsewhere in Senate Report 93-549, Senator Church makes the remarkable

statement:

"Like a loaded gun laying around the house, the plethora of delegated authority and institutions to meet almost every kind of conceivable crisis stand ready for use for purposes other than their original intension . . . Machiavelli, in his 'Discourses of Livy', acknowledged that great power may have to be given to the Executive if the State is to survive, but warned of great dangers in doing so. He cautioned: Nor is it sufficient if this power be conferred upon good men; for men are frail, and easily corrupted, and then in a short time, he that is absolute may easily corrupt the people."

Now, a quote from an exclusive reply written May 21, 1973, by the Attorney General of the United States regarding studies undertaken by the Justice Department on the question of termination of the standing national emergency:

"As a consequence, a 'national emergency' is now a practical necessity in order to carry out what has become the regular and normal method of governmental actions. What we intended by Congress as delegations of power to be used only in the most extreme situations, and for the most limited durations, have become every day powers, and a state of 'emergency' has become a permanent condition."

### **From United States vs. Butler (Supreme Court, 1935):**

"A tax, in the general understanding and in the strict Constitutional sense, is an exaction for the support of the government; the term does not connote the expropriation of money from one group to be expended for another, as a necessary means in a plan of regulation, such as the plan for regulating agricultural production set up in the Agricultural Adjustment Act."

What is being said here is that a tax can only be an exaction for the support of government, not for an expropriation from one group for the use of another. That would be socialism, wouldn't it?

### **Quoting further from United States vs. Butler:**

"The regulation of farmer's activities under the statute, though in form subject to his own will, is in fact coercion through economic pressure; his right of choice is illusory. Even if a farmer's consent were purely voluntary, the Act would stand no better. At best it is a scheme for purchasing with federal funds submission to federal regulation of a subject reserved to the states."

Speaking of contracts, those contracts are coercion contracts. They are adhesion contracts made by a superior over an inferior. They are under the belligerent capacity of government over enemies. They are not valid contracts.

## Again from United States vs. Butler:

"If the novel view of the General Welfare Clause now advanced in support of the tax were accepted, this clause would not only enable Congress to supplant the states in the regulation of agriculture and all other industries as well, but would furnish the means whereby all of the other provisions of the Constitution, sedulously framed to define the limit of the powers of the United States and preserve the powers of the states, could be broken down, the independence of the individual states obliterated, and the United States converted into a central government exercising uncontrolled police power throughout the union superseding all local control over local concerns."

Please, read the above paragraph again. The understanding of its meaning is vital.

The United States Supreme Court ruled the New Deal, the nationalization, unconstitutional in the Agricultural Adjustment Act and they turned it down flat. The Supreme Court declared it to be unconstitutional. They said, in effect, "You're turning the federal government into an uncontrolled police state, exercising uncontrolled police power." What did Roosevelt do next? He stacked the Supreme Court, didn't he? And in 1937, United States vs. Butler was overturned.

From the 65th Congress, 1st Session, Doc. 87, under the section entitled Constitutional Sources of Laws of War, Page 7, Clause II, we find:

"The existence of war and the restoration of peace are to be determined by the political department of the government, and such determination is binding and conclusive upon the courts, and deprives the courts of the power of hearing proof and determining as a question of fact either that war exists or has ceased to exist."

The courts will tell you that it is a political question, for they (the courts) do not have jurisdiction over the common law. The courts were deprived of the Constitution. They were deprived of the common laws. There are now courts of prize over the enemies, and we have no persona standi in judicio. We have no personal standing under the law. Also from the 65th Congress, under the section entitled Constitutional Sources of Laws of War, we find:

"When the sovereign authority shall choose to bring it into operation, the judicial department must give effect to its will. But until that will shall be expressed, no power of condemnation can exist in the court."

## From Senate Report 93-549:

"Just how effective a limitation on crisis action this makes of the court is hard to say. In light of the recent war, the court today would seem to be a fairly harmless observer of the emergency activities of the President and Congress. It is highly unlikely that the separation of powers and the 10th Amendment will be called upon again to hamstring the efforts of the government to deal resolutely with a serious national emergency."

So much for our Constitutional system of checks and balances. And from that same Senate Report, in the section entitled, "Emergency Administration": "Organizationally, in dealing with the depression, it was Roosevelt's general polity to assign new, emergency functions to newly created agencies, rather than to already existing departments."

Thus, thousands of "temporary" emergency agencies are now sitting out there with emergency functions to rule us in all cases whatsoever.

Finally, let us look briefly at the courts, specifically with regard to the question of "booty". The following definition of the term, "prize" is to be found in Bouvier's Law Dictionary:

"Goods taken on land from a public enemy are called booty; and the distinction between a prize and booty consists in this, that the former is taken at sea and the latter on land."

This significance of the distinction between these two terms is critical, a fact which will become quite clear shortly.

Let us now remember that "Congress shall have the power to make rules on all captures on the land and the water." To reiterate, captures on the land are booty, and captures on the water are prize.

Now, the Constitution says that Congress shall have the power to provide and maintain a navy, even during peacetime. It also says that Congress shall have the power to raise and support an army, but no appropriations of money for that purpose shall be for greater than two years. Here we can see that an army is not a permanent standing body, because, in times of peace, armies were held by the sovereign states as militia. So the United States had a navy during peacetime, but no standing army; we had instead the individual state militias.

Consequently, the federal government had a standing prize court, due to the fact that it had a standing navy, whether in times of peace or war. But in times of peace, there could be no federal police power over the continental United States, because there was to be no army.

From the report "The Law of Civil Government in Territory Subject to Military Occupation by Military Forces of the United States", published by order of the Secretary of War in 1902, under the heading entitled the Confiscation of Private Property of Enemies in War, comes the following quote:

"4. Should the President desire to utilize the services of the Federal courts of the United States in promoting this purpose or military undertaking, since these courts derive their jurisdiction from Congress and do not constitute a part of the military establishment, they must secure from Congress the necessary action to confer such jurisdiction upon said courts."

This means that, if the government is going to confiscate property within the continental United States on the land (booty), it must obtain statutory authority.

In this same section, we find the following words:

"5. The laws and usages of war make a distinction between enemies' property captured on the sea and property captured on land. The jurisdiction of the courts of the United States over property captured at sea is held not to attach to property captured on land in the absence of Congressional action."

There is no standing prize court over the land. Once war is declared, Congress must give jurisdiction to particular courts over captures on the land by positive Congressional action. To continue with:

"The right of confiscation is a sovereign right. In times of peace, the exercise of this right is limited and controlled by the domestic Constitution and institutions of the government. In times of war, when the right is exercised against enemies' property as a war measure, such right becomes a belligerent right, and as such is not subject to the restrictions imposed by domestic institutions, but is regulated and controlled by the laws and usages of war."

So we see that our government can operate in two capacities: (a) in a sovereign peacetime capacity, with the limitations placed upon it by the Constitution and restrictions placed upon it by We, the People, or (b) in a wartime capacity, where it may operate in its belligerent capacity governed not by the Constitution, but only by the laws of war.

In Section 17 of the Act of October 6, 1917, the Trading With the Enemy Act: "That the district courts of the United States are hereby given jurisdiction to make and enter all such rules as to notice and otherwise; and all such orders and decrees; and to issue such process as may be necessary and proper in the premises to enforce the provisions of this Act."

Here we have Congress conferring upon the district courts of the United States the booty and jurisdiction, the jurisdiction over enemy property within the continental United States. And at the time of the original unamended, Trading with the Enemy Act, we were indeed at war, a World war, and so booty jurisdiction over enemies' property in the courts was appropriate. At that time, remember, we were not yet declared the enemy. We were excluded from the provisions of the original Act.

In 1934 Congress passed an Act merging equity and law abolishing common law. This Act, known as the Federal Rules of Civil Procedures Act, was not to

come into effect until 6 months after the letter of transmittal from the Supreme Court to Congress. The Supreme Court refused transmittal and the transmittal did not occur until Franklin D. Roosevelt stacked the Supreme Court in 1938.

But on March the 9th of 1933, the American people were declared to be the public enemy under the amended version of the Trading With the Enemy Act. What jurisdiction were We, the People, then placed under? We were not the booty jurisdiction given to the district courts by Congress. It would no longer be necessary, or of any value at all, to bring the Constitution of the United States with us upon entering a courtroom, for that court was no longer a court of common law, but a tribunal under wartime booty jurisdiction. Take a look at the American flag in most American courtrooms. The gold fringe around our flag designates Admiralty jurisdiction.

[PLEASE NOTE. President Richard M. Nixon was impeached. Pursuant to the impeachment Rules all pardons, all treaties, all Executive Orders etc., etc., were also impeached leaving the entire Acts etc., of the Nixon Administration null and void and of no lawful effect.] [IMPEACHMENT THE UNTHINKABLE PROCESS <http://usgovinfo.about.com/od/thepresidentandcabinet/a/impeachment.htm> ]

FURTHER NOTE. When these Acts against We the People the parties of the first part to the Constitution and Statutes of the United States are announced by these presidents past and present indulging in Acts of Treason and Trading With The Enemy Act when citing and stipulating By virtue of the authority vested in the President by the Constitution and statutes of the United States they have unwittingly introduced and re-instated Constitutional Law aka Common Law and are subject to those Laws and Articles, Amendments contained therein. This is a Rule of Law.]

Executive Order No. 11677 issued by President Richard M. Nixon August 1, 1972 states:

"Continuing the Regulation of Exports; By virtue of the authority vested in the President by the Constitution and statutes of the United States, including Section 5 (b) of the Act of October 6, 1917, as amended (12 U.S.C. 95a), and in view of the continued existence of the national emergencies . . . ."

Later in the same Executive Order, we find the following:

". . . under the authority vested in me as President of the United States by Section 5 (b) of the Act of October 6, 1917, as amended (12 U.S.C. 95a) . . . ." Section 5 (b) certainly seems to be an oft-cited support for Presidential authority, doesn't it? Surely the reason for this can be found by referring back

to Exhibit 49, the words of Mr. Katzenbach in Senate Report 93-549: "My recollection is that almost every executive order ever issued straddles on several grounds, but it almost always includes the Trading With the Enemy Act because the language of that act is so broad, it would justify almost anything.

The question here, and it should be a question of grave concern to every American, is what type of acts can "almost anything" cover? What has been, and is being, done, by our government under the cloak of authority conferred by Section 5 (b)? By now, I think we are beginning to know.

Has the termination of the national emergency ever been considered? In Public Law 94-412, September 14, 1976, we find that Congress had finally finished their exhaustive study on the national emergencies, and the words of their findings were that they would terminate the existing national emergencies. We should be able to heave a sign of relief at this decision, for with the termination of the national emergencies will come the corresponding termination of extraordinary Presidential power, won't it. But yet we have learned two difficult lessons: that we are still in the national emergency and that power, once grasped, is difficult to let go. And so now it should come as no surprise when we read, in the last section of the Act, Section 502, the following words:

"(a): The provisions of this Act shall not apply to the following provisions of law, the powers and authorities conferred thereby and actions taken thereunder (1) Section 5 (b) of the Act of October 6, 1917, as amended (12 U.S.C. 95a; 50 U.S.c. App. 5b)"

NOTE! By invocation of the Laws of 1917 which involves the Philippines see:

### **§1382. Administration of the Trading With the Enemy Act in Philippines**

The Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, shall continue in force in the Philippines after July 4, 1946, and all powers and authority conferred upon the President of the United States or the Alien Property Custodian by the terms of the said Trading With the Enemy Act, as amended, with respect to the Philippines, shall continue thereafter to be exercised by the President of the United States, or such officer or agency as he may designate: *Provided*, That all property vested in or transferred to the President of the United States, the Alien Property Custodian, or any such officer or agency as the President of the United States may designate under the Trading With the Enemy Act, as amended, which was located in the Philippines at the time of such vesting, or the proceeds thereof, and which shall remain after the satisfaction of any claim payable under the Trading With the Enemy Act, as amended, and after the payment of such costs and expenses of administration as may by law be charged against such property

or proceeds, shall be transferred by the President of the United States to the Republic of the Philippines: *Provided further*, That such property, or proceeds thereof, may be transferred by the President of the United States to the Republic of the Philippines upon indemnification acceptable to the President of the United States by the Republic of the Philippines for such claims, costs, and expenses of administration as may by law be charged against such property or proceeds thereof before final adjudication of such claims, costs, and expenses of administration: *Provided further*, That the courts of first instance of the Republic of the Philippines are given jurisdiction to make and enter all such rules as to notice or otherwise, and all such orders and decrees, and to issue such process as may be necessary and proper in the premises to enforce any orders, rules, and regulations issued by the President of the United States, the Alien Property Custodian, or such officer or agency designated by the President of the United States pursuant to the Trading With the Enemy Act, as amended, with such right of appeal therefrom as may be provided by law: *And provided further*, That any suit authorized under the Trading With the Enemy Act, as amended, with respect to property vested in or transferred to the President of the United States, the Alien Property Custodian, or any officer or agency designated by the President of the United States hereunder, which at the time of such vesting or transfer was located within the Philippines, shall after July 4, 1946, be brought, in the appropriate court of first instance of the Republic of the Philippines, against the officer or agency hereunder designated by the President of the United States with such right of appeal therefrom as may be provided by law, but suits with respect to such property shall after ninety days from December 21, 1950, be brought only in the courts of the United States.

(July 3, 1946, ch. 536, §3, 60 Stat. 418; Dec. 21, 1950, ch. 1144, 64 Stat. 1116.)

#### References in Text

The Trading With the Enemy Act of October 6, 1917, as amended, referred to in text, is act Oct. 6, 1917, ch. 106, 40 Stat. 411, as amended, which is classified to sections 1 to 6, 7 to 39 and 41 to 44 of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see Tables. <http://uscodebeta.house.gov/view.xhtml?req=granuleid:USC-prelim-title22-section1382&num=0&edition=prelim>

#### Relates to

Aliens [http://www.law.cornell.edu/uscode/html/uscode50a/usc\\_sup\\_05\\_50\\_10\\_sq1\\_20\\_sq1.html](http://www.law.cornell.edu/uscode/html/uscode50a/usc_sup_05_50_10_sq1_20_sq1.html)

The bleak reality is, the situation has not changed at all.

The alarming situation in which We, the People, find ourselves today causes us to think back to a time over two hundred years ago in our nation's history when our forefathers were also laboring under the burden of governmental usurpation of individual rights. Their response, written in 1774, two years before the signing of the Declaration of Independence, to the attempts of Great Britain to retain extraordinary powers it had held during a time of war became known as the "Declaration of Rights". And in that document, we find these words:

"Whereas, since the close of the last war, the British Parliament, claiming a power of right to bind the people of America, by statute, in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others, under various pretenses, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of the courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county."

We can see now that we have come full circle to the situation which existed in 1774, but with one crucial difference. In 1774, Americans were protesting against a colonial power which sought to bind and control its colony by wartime powers in a time of peace. In 1994, it is our own government which has sought, successfully to date, to bind its own people by the same subtle, insidious method.

Article 3, Section 3, of our Constitution states:

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

Is the Act of March 9, 1933, treason? That would be for the common law courts to decide. At this point in our nation's history, the point is moot, for common law, and indeed the Constitution itself, do not operate or exist at present. Whether governmental acts of theft of the nation's money, the citizens' property, and American liberty as an ideal and a reality which have occurred since 1933 is treason against the people of the United States, as the

term is defined by the Constitution of the United States cannot even be determined or argued in the legal sense until the Constitution itself is re-established. For our part, however, we firmly believe that, "by their fruits ye shall know them", and on that authority we rest our case.

## CONCLUSION

As you have just witnessed, the United States of America continues to exist in a governmentally ordained state of national emergency. Under such a state of emergency, our Constitution has been set aside, ostensibly for the public good, until the emergency is cancelled.

But, as experience painfully shows, it has not been to the public's good that our government has used its unrestricted power, unhampered by the Constitution's restraining force. The governmental edicts and actions over the past six decades have led us to the desperate state in which we find ourselves today. Besieged on every side, corroding from within, frightened and in despair, we as a nation are being torn asunder.

This IS a national emergency today one of life and death proportions but it is NOT the emergency used by our government to continue its abuse of power. It IS this very abuse, this unbridled rape of the American spirit, that is the crux of the emergency we are in today. But this true emergency cannot be cured by setting aside the Constitution; no, it can only be controlled by returning to the laws of God and Country which have been stolen from us by those in whom we placed our trust to protect the national interest.

We are a nation whose government is based upon those immortal words, "a government of the people, by the people, for the people". One has only to walk down the highways and byways of this great land to know all too well that this is not a government of the people or for the people. Actions speak louder than words, and the actions taken over the past decades have resulted in an unparalleled decline of American economic and political power, and a weakening of American values and spirit.

This is NOT a crisis in which the taking up of arms is the answer. No, this is a situation in which we firmly believe that the pen will be mightier than the sword. That a state of emergency exists cannot be disputed. That the emergency is one which should concern every American alive cannot be denied. That we must stand together, laying aside our individual differences,

to fight the common foe, is of vital importance, for the time to act is now. But this is not a battle swords, but of knowledge, for only when the deception is exposed to the light of day can the healing process begin.

Truth stands tall in the light of day, and it is the truth we bring to you today. Let it be known and understood that it is our intention to make this information available to every concerned American to desires to know the true State of the Union. This is an undertaking of immense proportions, but we have dedicated ourselves to bringing this information to the light of day, and with the help of "We, the People", we will be successful in our efforts.

Every American who is thankful for the opportunity to call themselves American must also accept the responsibility that comes with that title. We the People have not only a right, but a responsibility to each other and to those who have gone before us to learn what our government is doing, and to judge whether actions taken benefit the people who will bear the costs. We have been in the dark long enough, content to rest on our past glories and let the government take its course. In a way, we have been like children, trusting in our parents to act in our best interest. But as we have too frequently seen in the nightly news, not all parents have their children's best interest at heart.

The time has come for us to take off our blinders and accept reality, fir the time of national reckoning has arrived. The majority of our elected and appointed officials are no more responsible for the current state of affairs than we. The strings are being manipulated at far higher levels than the positions most officials occupy. They are working with little knowledge or authority, trying to control problems far bigger than even they realize. Their programs and actions may seek to cure the symptoms, but the time has now come to attack the disease. They are no more guilty than we are, nor will they be any more protected when the nation collapses on us all.

If we blame them for this national emergency, we must also truly blame ourselves, for it is "We, the People" to whom this nation was given and whose duty it was to keep a watchful eye on those who direct the sails of the ship of state. We have, however, fallen asleep, and while we were dreaming the American dream, a band of pirates stole the Constitution and put our people into slavery.

And since that terrible day when our Constitution was cast aside, not one

President or Congress, nor one Supreme Court justice has been able or willing to return it to its rightful owners. Given the current state of the union, there is no reason to expect this situation to change unless we ourselves cause it to be so.

Let us put the childish emotions of pity and self-deception away, stand up, stand together and fight back. Now is the time to stop dreaming, and start the long work before us. Now is the time to turn back to the principles and ideals on which this nation was founded, the strong foundation from which our nation identity springs.

When does tolerance become anarchy? When does protection become slavery? When is enough enough? Now is when here and now.

Now is the time to return to the laws set forth by God, and through off these chains of ignorance and bondage which grip our nation to the point of death.

Let us return to the source, the standard of excellence set for us long ago. Our message to Congress and all elected and appointed officials must be, "Let my people go!", for we are all laboring under a system which will eventually crush us, regardless of our religion, our sex, or the color of our skin.

We must let those at all levels of governmental authority know that we have learned of the deception which lies at the core of our national malaise. We must tell them in no uncertain terms that we will tolerate this great lie no longer, and we must put them on notice that we expect them to resign if they have not the courage and the resolve to help this nation in its hour of need.

We have been fools long enough. Beginning April 1st, 1994, no matter how long after that date you see this report, start each and every week without fail to give a copy of this information to at least one person you know. We also ask you to write a letter to Congress telling them to "Let our People go".

We must let our elected officials know that we expect them as servants of the people to help us re-establish law and order and restore our national pride.

They must repeal Proclamation 2039, 2040, and Title 12 USC 95(a) and 95(b), thereby cancelling the National Emergency, and re-establish the Constitution of this nation.

Now is the time for excellence of action. We demand it and will accept nothing less. This is our country, to protect and defend, no matter the cost. To do

nothing out of fear or apathy is exactly what those in power are hoping for, for it is ignorance and apathy that the darkness likes best. We must not be a party to the darkness enveloping our nation any longer. We must come into the light, and give our every drop of blood, sweat and tears to bring our nation back with us.

We must acknowledge that if we do nothing, we are not willing to act now and act boldly, without fear but with faith and a firm resolve, our freedom to act at all may soon be taken away altogether. New bills, new laws are being presented daily which will effectively serve to tighten, the chains of bondage already encircling this nation.

My friends, we are not going into slavery we are already there. Make no mistake those in power are already tightening the chains, but they are doing so slowly, quietly and with great caution, for fear of awakening the slumbering lion which is the voice of the American people. There is yet still time for us to slip loose the chains which bind us, and for us to bring about the restoration of this nation.

If we act, if we make our concerns known and shout out our refusal to accept the future which has been planned for us by those who hold no allegiance to this great land of ours, we can yet demand and see come to pass the day when the state of emergency is cancelled and the Constitution is restored to her rightful place as the watchdog of those for whom absolute power corrupts absolutely. If we repent of our ignorance and our apathy, and return to the God-given laws on which this nation was founded, we may yet be free.

We will continue to hold meetings and offer this information until everyone in America has had an opportunity to hear it and we have set our nation free. We will not tolerate less. We are Americans and that means far more than most of us realize.

If at first it seems you are working alone, do not give up, for as this information spreads across the land to the great cities and small towns, you will find yourself in excellent company. You already are as only one, for behind you stand all the heroes of our history who fought and died to keep this nation free.

Again, we must stress that we are not asking you to pick up guns; in fact, we implore you not to, no matter how angry the news of this deception has made

you. Turn your anger into a steely resolve, a fierce determination not to give up until the battle has been won. We are not asking you for lots of money; that's their game, the "almighty dollar". It is the substitution of wealth and possessions for integrity and honor that helped get us into this true state of emergency in which we find ourselves now. We are not asking you for more time than you can give, although we do ask you to give what time you can to get this information out.

What we ask from you is your commitment to stand with those around you to help us restore this nation to her rightful place in history, both that written and that yet to be told. Abraham Lincoln once said, "We the People are the rightful masters of both Congress and the Courts not to overthrow the Constitution, but to overthrow the men who pervert the Constitution". We must stand together now in this, our national hour of need. As the United States Supreme Court once said, "It is not the function of our government to keep the citizen from falling into error; it is the function of the citizen to keep the government from falling into error".

Each individual, their attitudes and actions, forges their own special link in the great chain of history. Now is the time to add to that precious inheritance of honor and duty which has kept America alive, because the choices we make and the actions we take today are a part of history too history not yet written. The vision for America has not died; the "land of the free and the home of the brave" still exists. There is still time to turn the tide for this great land, but we must join together to make it happen. We have a debt of honor to the past and the future, a call to glory to rescue our homeland from the hands of those who would see her fall. We cannot, we must not fail.