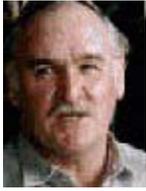


Introduction to Dr. Schroder's Work



Dr. Eugene Schroder has found the key to why our Constitutionally guaranteed rights are violated daily. It's the insidious use of "emergency powers" meant to be used only in time of invasion or rebellion.

Dr. Schroder proves with the government's own documents that the Constitution has been effectively set aside since 1933. Eleven presidents, both Democrat and Republican, have used emergency powers for the last 67 years to regulate our daily lives without the inconvenience of Congressional approval. The definition of "emergencies" has been stretched to include economic problems, social imbalances, and perceived threats to the US by any foreign country's actions, even those on other continents.

[senate-report-93-549_0](#), written in 1973, says "Since March 9, 1933, the United States has been in a state of declared national emergency...Under the powers delegated by these statutes, the president may: seize property;...seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication;...restrict travel; and, in a plethora of particular ways, control the lives of all American citizens."

The president can act through Executive Order, Presidential Proclamation, or through his many agencies, which include most of the alphabet agencies.

The framers of the [Constitution](#) asserted that Americans have certain inalienable, God-given rights. But under emergency rule, all these rights are declared null and void. The government charges us for these rights by requiring licenses and excessive paperwork, with strings attached, as long as restrictive and ill-defined requirements are met.

Dr. Schroder's landmark research is documented in three books: Constitution: Fact or Fiction; War and Emergency Powers Special Report; and War, Central Planning and Corporations - The Corporate State. These may be obtained from Buffalo Creek Press

I would also suggest a complete and thorough study of "Our Enemy, the State" by Albert J. Nock, "The Law" by Frederick Bastiat, "Trial by Jury" by Lysander Spooner,

"The Declaration of Independencee" and of course, "The Constitution For The United States"

AMERICAN AGRICULTURE MOVEMENT

Box 130

Campo, Colorado 81029

"Study the Constitution. Let it be preached from the pulpit, proclaimed in legislatures, and enforced in courts of justice." Abraham Lincoln

"You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; right derived from the Great Legislator of the Universe"
John Adams

"I believe there are more instances of abridgement of freedom of the people by gradual and silent encroachments of those in power that by violent and sudden usurpations.."
James Madison

A word from the Editor:

We must give a special thanks to the men who have spent years of their lives bringing this information to the public; and we must not forget the women who are not always in the foreground but without whose undying support and endurance this effort would be impossible. These men and women are true Patriots; they not only need your support but deserve it. Let us remember that the word Patriot as defined by Webster's Dictionary as "fellow countryman; a person who loses and loyally or zealously supports his own country". Not everyone can afford to give the long hours of those on the front lines; many others fear their government. Isn't it an outrage that the actions of our own government leaders causes many to not trust them? Where have we gone? How much is your freedom worth? If you can not give your time, please give your support. The American Agriculture Movement and many other organizations need your help to continue their efforts to bring about the Restoration of this Nation. A few dollars a month, in the form of purchasing information to pass on to others, is not too much to ask. Wouldn't it be a tragedy to lose their efforts, from which we will all gain so much, because they were twenty dollars short, and we failed to do our part? Please, become involved; this movement is too important not to do so. We need this Report in the hands of all Americans, so we are not going to copyright it; therefore, permission is hereby granted to reproduce this Report in its entirety. We do ask, however, that you lend your support, if possible, by purchasing an original Report to make copies from so that the quality will be maintained. Thank you.

~Paul Bailey

INTRODUCTION

To be able to call oneself "American" has long been a source of pride for those fortunate enough to live in this great land. The word "America" has always been synonymous with strength in the defense of our highest ideals of liberty, justice and opportunity, not only for ourselves, but for those throughout the world less fortunate than we.

America's greatest strength has always been her people, individuals laying their differences aside to work in partnership to achieve common goals. In our greatest moments, it has been our willingness to join together and work as long and as hard as it takes to get the job done, regardless of the cost, that has been the lifeblood of our great land.

From America's inception, we have been a nation of innovators unfettered by hidebound convention, a safe harbor for captains unafraid to boldly chart a new course through untried waters. This courage to dare greatly to achieve great things has made our nation strong and proud, a leader of men and of nations from the very first days of her birth. And since the days of her birth, millions of men and women whose hearts yearn for freedom and the opportunity to make a better life for themselves and their families have journeyed, often enduring terrible hardship, to our shores to add their skills and their dreams to the great storehouse of hope known as America.

The Pilgrims, the Founding Fathers, the Pioneers - the brave men and women who have fought and endured to the end in wars both civil and international - this history of heroism and dedication in defense of ideals both personal and national has long been a treasured legacy of bravery and determination against all odds which we have handed down like family heirlooms from generation to generation.

For we are like family, we Americans, often quarreling among ourselves but banding together in times of adversity to support one another and fight side by side against a common foe threatening our way of life. This bold and brash, brave young land has long given its best and brightest to lead our country to its lofty position in the world as a bastion of freedom and a beacon of hope for all the peoples of the Earth.

For many, the dreams they had for America were dreams they never lived to see fulfilled, but it mattered not to them, for their vision for this nation was meant to last longer and to loom larger than a mere mortal lifespan. Our national vision of integrity

and responsibility, of concern for one's fellow man, the flame inside that demands of us that we shall not rest until there is peace and justice for all - these are the fundamental stones which form the strong foundation of our national purpose and identity.

And on this foundation rests, not only the hopes of those blessed to live in this great land, but the hopes of millions throughout the world who believe in, and strive for, a better life for themselves and their children. For hundreds of years, the knowledge that America was there - proud, generous, steadfast, courageous - willing and able to enter the fray wherever human rights were threatened or denied, has given many who may never see her shores the will to endure despite the pain, to continue trying against sometimes insurmountable odds.

Yet without vigilance and constant tender care, even the strongest foundation shows the effects of stress and erosion. Even the most imposing edifice can eventually crumble and fall. So it is with nations, and with a nation's spirit.

We have seen in this second half of the twentieth century great advances in technology which have impacted every aspect of modern life. Ironically, though we are living in the "age of communication", it often seems as if we have less time now to talk or listen. For most, modern conveniences haven't gotten them off the treadmill; they have only made the treadmill go faster.

Quietly, yet rapidly, the small town values of community and common purpose are vanishing. Instead of strength in numbers, we as a nation are increasingly being split into smaller and smaller competing factions, with the cry of "every man for himself" ringing through the land. It seems that the phrase, "divide and conquer" has taken the place of, "One nation under God indivisible, with truth and justice for all". Americans are retreating behind the locked doors of their individual homes, afraid to enjoy the sunset for fear of the darkness it brings.

When and where did it all begin to crumble? How and why has America, which once was a nation whose strength united was so much more than the sum of its total parts, begin to break apart into bitterly opposing special interest groups? What will this frightening pattern of disintegration mean to the future of America and of those who live within her shores? Let it be remembered, and remembered well, the words of the Holy Bible: "a house divided against itself cannot stand". And let us not flinch from facing the truth that we have become a nation desperately divided.

With the long legacy of pride, determination, and strength in unity, how has it now come to this, that we are fighting ourselves? Finally, and most vitally important of all, what can

we do to turn the tide before the values and opportunities which others before us fought and died to preserve are washed away in the flood to come?

What you are about to see is the result of years of painstaking and meticulous research on the part of dedicated Americans gravely concerned for this nation's future. Please listen closely and give your undivided attention to this presentation, for our future as individuals and free citizens of this mighty land depends upon it.

We are not here to showcase personalities the speakers could be any one of you here today. We are, first and last, concerned Americans much like yourselves, taking our stand in defense of the nation we love. Much effort has been expended, and great hardships endured, by the American Agricultural Movement and many other organizations and individuals to bring this information to the public forum.

There is a wealth of information about many of the problems we face as a nation today, written from a variety of viewpoints. But as with a deadly illness, there is usually a point of origin, from which the threat first was given life. So it is with the threat we as Americans face today - an illness which could prove fatal if we do not act quickly and in concert to cure the body politic before it dies from the disease within.

Almost all the problems we are facing today can be traced back to a single point of origin, in a time of national trouble and despair. It was at this point, when our nation struggled for its survival, that the Constitution of the United States of America was effectively canceled. We are in a State of Emergency!

REPORT

[Note: The exhibits are not included in this document - some of them may be in the future if originals can be obtained and scanned. Please purchase the book to view the supporting documentation referenced as Exhibits]

We are going to begin with a series of documents which are representative (Exhibits 1 through 7), of the documents contained in this Report. We will be quoting from in many cases, reports, Senate and Congressional reports, hearings before National Emergency Committees, Presidential Papers, Statutes at Large, and the United States Code.

Exhibit 8 is taken from a book written by Swisher called Constitutional Development. Let's read the first paragraph. It says:

We may well wonder in view of the precedents now established," said Charles. E. Hughes, (Supreme Court Justice) in 1920, "whether constitutional government as

heretofore maintained in this Republic could survive another great war even victoriously waged."

How could that happen? Surely, if we go out and fight a war and win it, we'd have to end up stronger than the day we started, wouldn't we? Justice Hughes goes on to say:

"The conflict known as the World War had ended as far as military hostilities were concerned, but was not yet officially terminated. Most of the war statutes were still in effect, many of the emergency organizations were still in operation."

What is this man talking about when he speaks of "war statutes in effect and emergency organizations still in operation"?

In 1933 (Exhibit 9), Congressman Beck, speaking from the Congressional Record, states:

"I think of all the damnable heresies that have ever been suggested in connection with the Constitution, the doctrine of emergency is the worst. It means that when Congress declares an emergency, there is no Constitution. This means its death. It is the very doctrine that the German chancellor is invoking today in the dying hours of the parliamentary body of the German republic, namely, that because of an emergency, it should grant to the German chancellor absolute power to pass any law, even though the law contradicts the Constitution of the German republic. Chancellor Hitler is at least frank about it. We pay the Constitution lip service, but the result is the same."

Congressman Beck is saying that, of all the damnable heresies that ever existed, this doctrine of emergency has got to be the worst, because once Congress declares an emergency, there is no Constitution. He goes on to say:

"But the Constitution of the United States, as a restraining influence in keeping the federal government within the carefully prescribed channels of power, is moribund, if not dead. We are witnessing its death-agonies, for when this bill becomes a law, if unhappily it becomes a law, there is no longer any workable Constitution to keep the Congress within the limits of its Constitutional powers."

What bill is Congressman Beck talking about? In 1933, "the House passed the Farm Bill by a vote of more than three to one." Again, we see the doctrine of emergency. Once an emergency is declared, there is no Constitution. The cause and effect of the doctrine of emergency is the subject of this Report. In 1973, in Senate Report 93-549 (Exhibit 10), the first sentence reads:

"Since March the 9th, 1933, the United States has been in a state of declared national emergency."

Let's go back to Exhibit 9 just before this. What did that say? It says that if a national emergency is declared, there is no Constitution. Now, let us return to Exhibit 10. Since March the 9th of 1933, the United States has been, in fact, in a state of declared national emergency.

Referring to the middle of this exhibit:

"This vast range of powers, taken together, confer enough authority to rule the country without reference to normal constitutional processes. Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens" and this situation has continued uninterrupted since March the 9th of 1933.

In the introduction to Senate Report 93-549 (Exhibit 11):

"A majority of the people of the United States have lived all their lives under emergency rule."

Remember, this report was produced in 1973. The introduction goes on to say:

"For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency."

The introduction continues:

"And, in the United States, actions taken by the government in times of great crisis have from, at least, the Civil War, in important ways shaped the present phenomenon of a permanent state of national emergency."

How many people were taught that in school? How could it possibly be that something which could suspend our Constitution would not be taught in school? Amazing, isn't it?

Where does this (Exhibit 12) come from? Is it possible that, in our Constitution, there could be some section which could contemplate what these previous documents are

referring to? In Article 1, Section 9 of the Constitution of the United States of America, we find the following words:

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

Habeas Corpus - the Great Writ of Liberty. This is the writ which guarantees that the government cannot charge us and hold us with any crime, unless they follow the procedure of due process of law. This writ also says, in effect, that the privilege of due process of law cannot be suspended, and that the government cannot not operate its arbitrary prerogative power against We the People. But we see that the great Writ of Liberty can, in fact, under the Constitution, be suspended when an invasion or a rebellion necessitates it.

In the 5th Amendment to the Constitution (Exhibit 13), it says:

"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..."

We reserved the charging power for ourselves, didn't we? We didn't give that power to the government. And we also said that the government would be powerless to charge one of the citizens or one of the peoples of the United States with a crime unless We, the People, through our grand jury, orders it to do so through an indictment or a presentment. And if We, the People, don't order it, the government cannot do it. If it tried to do it, we would simply follow the Writ of Habeas Corpus, and they would have to release us, wouldn't they? They could not hold us.

But let us recall that, in Exhibit 13, it says:

"except in cases arising in the land or naval forces, or in the Militia, when in actual service in times of War or public danger."

We can see here that the framers of the Constitution were already contemplating times when there would be conditions under which it might be necessary to suspend the guarantees of the Constitution.

Also from Senate Report 93-549 (Exhibit 14), and remember that our congressmen wrote these reports and these documents and they're talking about these emergency powers and they say:

"They are quite careful and restrictive on the power, but the power to suspend is specifically contemplated by the Constitution in the Writ of Habeas Corpus."

Now, this is well known. This is not a concept that was not known to rulers for many, many years. The concepts of constitutional dictatorship went clear back to the Roman Republic. And there, it was determined that, in times of dire emergencies, yes, the constitution and the rights of the people could be suspended, temporarily, until the crisis, whatever its nature, could be resolved.

But once it was done, the Constitution was to be returned to its peacetime position of authority. In France, the situation under which the constitution could be suspended is called the State of

Siege. In Great Britain, it's called the Defense of the Realm Acts. In Germany, in which Hitler became a dictator, it was simply called Article 48. In the United States, it is called the War Powers.

If that was, in fact, the case, and we are under a war emergency in this country, then there should be evidence of that war emergency in the current law that exists today. That means we should be able to go to the federal code known as the USC or United States Code, and find that statute, that law, in existence. And if we went to the library today and picked up a copy of 12 USC and went to Section 95 (b) (Exhibit 15), we will find a law which states:

"The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March the 4th, 1933, pursuant to the authority conferred by Subsection (b) of Section 5 of the Act of October 6th, 1917, as amended [12 USCS Sec. 95a], are hereby approved and confirmed. (Mar. 9, 1933, c. 1, Title I, Sec. 1, 48 Stat. 1.)".

Now, what does this mean? It means that everything the President or the Secretary of the Treasury has done since March the 4th of 1933, or anything that the President or the Secretary of the Treasury is hereafter going to do, is automatically approved and confirmed. Referring back to Exhibit 10, let us remember that, according to the Congressional Record of 1973, the United States has been in a state of national emergency since 1933. Then we realize that 12 USC, Section 95 (b) is current law. This is the law that exists over this United States this moment.

If that be the case, let us see if we can understand what is being said here. As every action, rule or law put into effect by the President or the Secretary of the Treasury since March the 4th of 1933 has or will be confirmed and approved, let us determine the significance of that date in history. What happened on March the 4th of 1933?

On March the 4th of 1933, Franklin Delano Roosevelt was inaugurated as President of the United States. Referring to his inaugural address, which was given at a time when the country was in the throes of the Great Depression, we read (Exhibit 16):

"I am prepared under my constitutional duty to recommend the measures that a stricken nation in the midst of a stricken world may require. These measures, or such other measures as the Congress may build out of its experience and wisdom, I shall seek, within my constitutional authority, to bring to speedy adoption. But in the event that the Congress shall fall to take one of these two courses, and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me. I shall ask the Congress for the one remaining instrument to meet the crisis broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe."

On March the 4th, 1933, at his inaugural, President Roosevelt was saying that he was going to ask Congress for the extraordinary authority available to him under the War Powers Act. Let's see if he got it.

On March the 5th, President Roosevelt asked for a special and extraordinary session of Congress in Proclamation 2038. He called for the special session of Congress to meet on March the 9th at noon. And at that Congress, he presented a bill, an Act, to provide for relief in the existing national emergency in banking and for other purposes.

In the enabling portion of that Act (Exhibit 17), it states:

"Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that a serious emergency exists and that it is imperatively necessary speedily to put into effect remedies of uniform national application."

What is the concept of the rule of necessity, referred to in the enabling portion of the act as "imperatively necessary speedily"? The rule of necessity is a rule of law which states that necessity knows no law. A good example of the rule of necessity would be the concept of self-defense. The law says, "Thou shalt not kill". But also know that, if you are in dire danger, in danger of losing your life, then you have the absolute right of self-

defense. You have the right to kill to protect your own life. That is the ultimate rule of necessity.

Thus we see that the rule of necessity overrides all other law, and, in fact, allows one to do that which would normally be against the law. So it is reasonable to assume that the wording of the enabling portion of the Act of March 9, 1933, is an indication that what follows is something which will probably be against the law. It will probably be against the Constitution of the United States, or it would not require that the rule of necessity be invoked to enact it.

In the Act of March 9, 1933 (Exhibit 17), it further states in Title 1, Section 1:

"The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March the 4th, 1933, pursuant to the authority conferred by subdivision (b) of Section 5 of the Act of October 6, 1917, as amended, are hereby approved and confirmed."

Where have we read those words before?

This is the exact same wording as is found (Exhibit 15) today in Title 12, USC 95 (b). The language in Title 12, USC 95 (b) is exactly the same as that found in the Act of March 9, 1933, Chapter 1, Title 1, Section 48, Statute 1. The Act of March 9, 1933, is still in full force and effect today. We are still under the Rule of Necessity. We are still in a declared state of national emergency, a state of emergency which has existed, uninterrupted, since 1933, or for over sixty years.

As you may remember, the authority to do this is conferred by Subsection (b) of Section 5 of the Act of October 6, 1917, as amended. What was the authority which was used to declare and enact the emergency in this Act? If we look at the Act of October 6, 1917 (Exhibit 18), we see that at the top right-hand part of the page, it states that this was:

"An Act To define, regulate, and punish trading with the enemy, and for other purposes."

By the year 1917, the United States was involved in World War 1; at that point, it was recognized that there were probably enemies of the United States, or allies of enemies of the United States, living within the continental borders of our nation in a time of war.

Therefore, Congress passed this act which identified who could be declared enemies of the United States, and, in this act, we gave the government total authority over those

enemies to do with as it saw fit. We also see, however, in Section 2, Subdivision (c) in the middle, and again at the bottom of the page:

"other than citizens of the United States."

The act specifically excluded citizens of the United States, because we realized in 1917 that the citizens of the United States were not enemies. Thus, we were excluded from the war powers over enemies in this act.

Section 5 (b) of the same act (Exhibit 19), states:

"That the President may investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, export or ear markings of gold or silver coin or bullion or currency, transfers of credit in any form (other than credits relating solely to transactions to be executed wholly within the United States)".

Again, we see here that citizens, and the transactions of citizens made wholly within the United States, were specifically excluded from the war powers of this act. "We the People", were not enemies of our country; therefore, the government did not have total authority over us as they were given over our enemies.

It is important to draw attention again to the fact that citizens of the United States in October, 1917, were not called enemies. Consequently the government, under the war powers of this act, did not have authority over us; we were still protected by the Constitution. Granted, over enemies of this nation, the government was empowered to do anything it deemed necessary, but not over us. The distinction made between enemies of the United States and citizens of the United States will become crucial later on.

In Section 2 of the Act of March 9, 1933 (Exhibit 17):

"Subdivision (b) of Section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is hereby amended to read as follows;"

So we see that they are now going to amend Section 5 (b). Now let's see how it reads after it's amended. The amended version of Section 5 (b) reads (emphasis added):

"During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe,

by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President and export, hoarding, melting, or earmarkings of gold or silver coin or bullion or currency, by any person within the United States or anyplace subject to the jurisdiction thereof".

What just happened? At as far as commercial, monetary or business transactions were concerned, the people of the United States were no longer differentiated from any other enemy of the United States. We had lost that crucial distinction. Comparing Exhibit 17 with Exhibit 19, we can see that the phrase which excluded transactions executed wholly within the United States has been removed from the amended version of Section 5 (b) of the Act of March 9, 1933, Section 2, and replaced with "by any person within the United States or anyplace subject to the jurisdiction thereof". All monetary transactions, whether domestic or international in scope, were now placed at the whim of the President of the United States through the authority given to him by the Trading with the Enemy Act.

To summarize this critical point: On October the 6th of 1917, at the beginning of America's involvement in World War 1, Congress passed a Trading with the Enemy Act empowering the government to take control over any and all commercial, monetary or business transactions conducted by enemies or allies of enemies within our continental borders. That act also defined the term "enemy" and excluded from that definition citizens of the United States.

In Section 5 (b) of this act, we see that the President was given unlimited authority to control the commercial transactions of defined enemies, but we see that credits relating solely to transactions executed wholly within the United States were excluded from that controlling authority. As transactions wholly domestic in nature were excluded from authority, the government had no extraordinary control over the daily business conducted by the citizens of the United States, because we were certainly not enemies.

Citizens of the United States were not enemies of their country in 1917, and the transactions conducted by citizens within this country were not considered to be enemy transactions. But in looking again at Section 2 of the Act of March 9, 1933, (Exhibit 17), we can see that the phrase excluding wholly domestic transactions has been removed from the amended version and replaced with "by any person within the United States or anyplace subject to the jurisdiction thereof".

The people of the United States were now subject to the power of the Trading with the Enemy Act of October 6, 1917, as amended. For the purposes of all commercial,

monetary, and, in effect, all business transactions. "We the People", became the same as the enemy, and were treated no differently. There was no longer any distinction.

It is important here to note that, in the Acts of October 6, 1917 and March 9, 1933, it states: "during times of war or during any other national emergency declared by the President...". So we now see that the war powers not only included a period of war, but also a period of "national emergency" as defined by the President of the United States. When either of these two situations occur, the President may, (Exhibit 17):

"through any agency that he may designate, or otherwise, investigate, regulate or prohibit under such rules and regulations as he may prescribe by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President and export, boarding, melting or earmarking of gold or silver coin or bullion or currency by any person within the United States or anyplace subject to the jurisdiction thereof."

What can the President do now to the We, the People, under this Section? He can do anything he wants to do. It's purely at his discretion, and he can use any agency or any license that he desires to control it. This is called a constitutional dictatorship.

In Senate Document 93-549 (Exhibit 20), Congress declared that a serious emergency exists, at:

"48 Stat. 1. The exclusion of domestic transactions, formerly found in the Act, was deleted from Sect. 5 (b) at this time."

Our Congress wrote that in the year 1973.

Now let's find out about the Trading with the Enemy Act of October 6, 1917. Quoting from a Supreme Court decision (Exhibit 21), *Stoehr v. Wallace*, 1921:

"The Trading With the Enemy Act, originally and as amended, is strictly a war measure, and finds its sanction in the provision empowering Congress "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water" Const. Art. 1, Sect. 8, c1. 11. P.241".

Remember your Constitution? "Congress shall have the power to declare war, grant letters of marque and reprisal and make all rules concerning the captures on the land and the water of the enemies," all rules.

If that be the case, let us look at the memorandum of law that now covers trading with the enemy, the "Memorandum of American Cases and Recent English Cases on The Law of Trading With the Enemy" (Exhibit 22), remembering that we are now the same as the enemy. In this memorandum, we read:

"Every species of intercourse with the enemy is illegal. This prohibition is not limited to mere commercial intercourse."

This is the case of *The Rapid* (1814).

Additionally,

"No contract is considered as valid between enemies, at least so far as to give them a remedy in the courts of either government, and they have, in the language of the civil law, no ability to sustain a *persona standi in judicio*".

In other words, they have no personal rights at law in court. This is the case of *The Julia* (1813).

In the next case, the case of *The Sally* (1814) (Exhibit 23), we read the words:

"By the general law of prize, property engaged in an illegal intercourse with the enemy is deemed enemy property. It is of no consequence whether it belong to an ally or to a citizen; the illegal traffic stamps it with the hostile character, and attaches to it all the penal consequences of enemy ownership".

Reading further in the memorandum, again from the case of *The Rapid*:

"The law of prize is part of the law of nations. In it, a hostile character is attached to trade, independently of the character of the trader who pursues or directs it. Condemnation to the use of the captor is equally the fate of the property of the belligerent and of the property found engaged in anti-neutral trade. But a citizen or an ally may be engaged in a hostile trade, and thereby involve his property in the fate of those in whose cause he embarks".

Again from the memorandum (Exhibit 24):

"The produce of the soil of the hostile territory, as well as other property engaged in the commerce of the hostile power, as the source of its wealth and strength, are always regarded as legitimate prize, without regard to the domicile of the owner".

From the case (Exhibit 25) of *The William Bagaley* (1866):

"In general, during war, contracts with, or powers of attorney or agency from, the enemy executed after outbreak of war are illegal and void; contracts entered into with the enemy prior to the war are either suspended or are absolutely terminated; partnerships with an enemy are dissolved; powers of attorney from the enemy, with certain exceptions, lapse; payments to the enemy (except to agents in the United States appointed prior to the war and confirmed since the war) are illegal and void; all rights of an enemy to sue in the courts are suspended."

From Senate Report No. 113 (Exhibit 26), in which we find *An Act to Define, Regulate, and Punish Trading with the Enemy, and For Other Purposes*, we read:

"The trade or commerce regulated or prohibited is defined in Subsections (a), (b), (c), (d) and (e), page 4. This trade covers almost every imaginable transaction, and is forbidden and made unlawful except when allowed under the form of licenses issued by the Secretary of Commerce (p. 4, sec. 3, line 18). This authorization of trading under licenses constitutes the principal modification of the rule of international law forbidding trade between the citizens of belligerents, for the power to grant such licenses, and therefore exemption from the operation of law, is given by the bill."

It says no trade can be conducted or no intercourse can be conducted without a license, because, by mere definition of the enemy, and under the prize law, all intercourse is illegal.

That was the first case we looked at, Exhibit 22, wasn't it? So once we were declared enemies, all intercourse became illegal for us. The only way we could now do business or any type of legal intercourse was to obtain permission from our government by means of a license. We are certainly required to have a Social Security Card, which is a license to work, and a Drivers License, which gives the government the ability to restrict travel; all business in which we engage ourselves requires us to have a license, does it not?

Returning once again to the Memorandum of Law: (Exhibit 27)

"But it is necessary always to bear in mind that a war cannot be carried on without hurting somebody, even, at times, our own citizens. The public good, however, must prevail over private gain. As we said in *Bishop v. Jones* (28 Texas, 294), there cannot be "a war for arms and a peace for commerce". One of the most important features of the bill is that which provides for the temporary taking over of the enemy property."

This point of law is important to keep in mind, for it authorizes the temporary takeover of enemy property. The question is: Once the war terminates, the property must be returned, mustn't it?

The property that is confiscated, and the belligerent night of the government during the period of war, must be returned when the war terminates. Let us take the case of a ship in harbor; war breaks out, and the Admiral says, "I'm seizing your ship." Can you stop him? No. But when the war is over, the Admiral must return your ship to you. This point is important to bear in mind, for we will return to, and expand upon, it later in the report.

Reading from (Exhibit 28) Senate Document No. 43, "Contracts Payable in Gold" written in 1933:

"The ultimate ownership of all property is in the State; individual so-called "ownership" is only by virtue of government, i. e., law, amounting to mere user; and use must be in accordance with law and subordinate to the necessities of the State."

Who owns all the property? Who owns the property you call "yours"? Who has the authority to mortgage property? Let us continue with a Supreme Court decision, (Exhibit 29) United States v. Russell:

"Private property, the Constitution provides, shall not be taken for public use without just compensation..."

That is the peacetime clause, isn't it? Further (emphasis added),

"Extraordinary and unforeseen occasions arise, however, beyond all doubt, in cases of extreme necessity in time of war or of immediate and impending public danger, in which private property may be impressed into the public service, or may be seized or appropriated to public use, or may even be destroyed without the consent of the owner..."

This quote, and indeed this case, provides a vivid frustration of the potential power of the government.

Now, let us return to the period of time after March 4, 1933, and take a close look at what really occurred. On March 4, 1933, in his inaugural address, President Franklin Delano Roosevelt asked for the authority of the war powers, and called a special session of Congress for the purpose of having those powers conferred to him.

On March the 2nd, 1933, however, we find that Herbert Hoover had written a letter to the Federal Reserve Board of New York, asking them for recommendations for action based on the over-all situation at the time. The Federal Reserve Board responded with a resolution (Exhibit 30) which they had adopted, an excerpt from which follows:

"Resolution Adopted By The Federal Reserve Board Of New York. Whereas, in the opinion of the Board of Directors of the Federal Reserve Bank of New York, the continued and increasing withdrawal of currency and gold from the banks of the country has now created a national emergency ..."

In order to fully appreciate the significance of this last quote, we must recall that, in 1913, The Federal Reserve Act was passed, authorizing the creation of a central bank, the thought of which had already been noted in the Constitution. The basic idea of the central bank was, among other things, for it to act as a secure repository for the gold of the people. We, the People, would bring our gold to the huge, strong vaults of the Federal Reserve, and we would be issued a note which said, in effect, that, at any time we desired, we could bring that note back to the bank and be given back our gold which we had deposited.

Until 1933, that agreement, that contract between the Federal Reserve and its depositors, was honored. Federal Reserve notes, prior to 1933, were indeed redeemable in gold. After 1933, the situation changed drastically. In 1933, during the depths of the Depression, at the time when We, the People, were struggling to stay alive and keep our families fed, the bankers began to say: "People are coming in now, wanting their gold, wanting us to honor this contract we have made with them to give them their gold on demand, and this contractual obligation is creating a national emergency."

How could that happen? Reading from the Public Papers of Herbert Hoover (Exhibit 31):

"Now, Therefore, Be It Resolved, that, in this emergency, the Federal Reserve Board is hereby requested to urge the President of the United States to declare a bank holiday, Saturday, March 4, and Monday, March 6.

In other words, President Roosevelt was urged to close down the banking system and make it unavailable make it unavailable for a short period of time. What was to happen during that period of time?

Reading again from the Federal Reserve Board resolution (Exhibit 31), we find a proposal for an executive order, to be worded as follows:

"Whereas, it is provided in Section 5 (b) of the Act of October 6, 1917, as amended, that "the President may investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange and the export, hoarding, melting, or earmarkings of gold or silver coin or bullion or currency, *** "

Now, in any normal usage of the American language, the standard accepted meaning of a series of three asterisks after a quotation means that what follows also must be quoted exactly, doesn't it? If it's not, that's a fraudulent use of the American language. At that point where that, *** " began, what did the original Act of October 6, 1917, say?

Referring back to Exhibit 19, we find that the remainder of Section 5 (b) of the Act of October 6, 1917 says:

"(other than credits relating solely to transactions to be executed wholly within the United States)."

This portion of Section 5 (b) specifically prohibited the government from taking control of We, the People's money and transactions, didn't it?

However, let us now read the remainder of Section 5 (b) of the Act of October 6, 1917, as amended on March 9, 1933 (Exhibit 17):

"by any person within the United States or any place subject to the Jurisdiction thereof."

Comparing the original with the amended version of Section 5 (b), we can see the full significance of the amended version, wherein the exclusion of domestic transactions from the powers of the Act was deleted, and "any person" became subject to the extraordinary powers conferred by the act. Further, we can now see that the usage of *** " was, in all to likelihood, meant be deliberately misleading, if not fraudulent in nature.

Further, in the next section of the Federal Reserve Board's proposal, we find that anyone violating any provision of this act will be fined not more than \$10,000.00, or imprisoned for not more than ten years, or both. A severe enough penalty at any time, but one made all the more harsh by the economic conditions in which most Americans found themselves at the time. And where were these alterations and amendments to be

found? Not from the government itself, initially; no, they are first to be found in a proposal from the Federal Reserve Board of New York, a banking institution.

Let us recall the chronology of events: Herbert Hoover, in his last days as President of the United States, asked for a recommendation from the Federal Reserve Board of New York, and they responded with their proposals. We see that President Hoover did not act on the recommendation, and believed the actions were "neither justified nor necessary" (Appendix, Public Papers of Herbert Hoover, p. 1088) . Let us see what happened; remember on March 4, 1933, Franklin Delano Roosevelt was inaugurated as President of the United States. On March 5, 1933, President Roosevelt called for an extraordinary session of Congress to be held on March 9, 1933, as can be seen in Exhibit 32:

"Whereas, public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on the Ninth day of March, 1933, to receive such communication as may be made by the Executive."

On the next day, March 6, 1933, President Roosevelt issued Proclamation 2039, which has been included in this report, starting at the bottom of Exhibit 32. In Exhibit 32, we find the following:

"Whereas there have been heavy and unwarranted withdrawals of gold and currency from our banking institutions for the purpose of hoarding"

Right at the beginning, we have a problem. And the problem rests in the question of who should be the judge of whether or not my gold, on deposit at the Federal Reserve, with which I have a contract which says, in effect, that I may withdraw my gold at my discretion, is being withdrawn by me in an "unwarranted" manner. Remember, the people of the United States were in dire economic straits at this point. If I had gold at the Federal Reserve, I would consider withdrawing as much of my gold as I needed for my family and myself a "warranted" action. But the decision was not left up to We, the People.

It is also important to note that it is stated that the gold is being withdrawn for the purpose of "hoarding". The significance of this phrase becomes clearer when we reach Proclamation 2039, wherein the term "hoarding" is inserted into the amended version of Section 5(b). The term, "hoarding", was not to be found in the original version of Section 5(b) of the Act of October 6, 1917. It was a term which was used by President Roosevelt to help support his contention that the United States was in the middle of a

national emergency, and his assertion that the extraordinary powers conferred to him by the War Powers Act were needed to deal with that emergency.

Let us now go on to the middle of Proclamation 2039, at the top of the next page, Exhibit 33. In reading from Exhibit 33, we find the following:

"Whereas, it is provided in 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 licenses or otherwise, any transaction in foreign exchange and the export, hoarding, melting, or ear markings of gold or silver coin or bullion or currency * * * "

exactly as was first proposed by the Federal Reserve Board of New York (Exhibit 31).

If we return to 48 Statute 1 (Exhibit 17), Title 1, Section 1, we find that the amended Section 5 (b) with its added phrase:

"by any person within the United States or any place subject to the jurisdiction thereof".

Is this becoming clearer as to exactly what happened? On March 5, 1933, President Roosevelt called for an extra session of Congress, and on March 6, 1933, issued Proclamation 2039 (Exhibits 32-33). On March 9th, Roosevelt issued Proclamation 2040 . We looked at Proclamation 2039 on Exhibits 32 and 33, and now, on Exhibit 33 (a), let's see what Roosevelt is hiking about in Proclamation 2040:

"Whereas, on March 6, 1933, I, Franklin D. Roosevelt, President of the United States of America, by Proclamation declared the existence of a national emergency and proclaimed a bank holiday... "

We see that Roosevelt declared a national emergency and a bank holiday. Let's read on:

"Whereas, under the Act of March 9, 1933, all Proclamations heretofore or hereafter issued by the President pursuant to the authority conferred by section 5 (b) of the Act of October 6, 1917, as amended, are approved and confirmed;"

This section of the Proclamation clearly states that all proclamations heretofore or hereafter issued by the President are approved and confirmed, citing the authority of Section 5 (b). The key words here being "all" and "approved". Further:

"Whereas, said national emergency still continues, and it is necessary to take further measures extending beyond March 9, 1933, in order to accomplish such purposes"

We again clearly see that there is more to come, evidenced by the phrase, "further measures extending beyond March 9, 1933 ...". Could this be the beginning of a new deal? Possibly a one-sided deal. How long can this type of action continue? Let's find out.

"Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, in view of such continuing national emergency and by virtue of the authority vested in me by Section 5 (b) of the Act of October 6, 1917 (40 Stat. L. 411) as amended by the Act of March 9, 1933, do hereby proclaim, order, direct and declare that all the terms and provisions of said Proclamation of March 6, 1933, and the regulations and orders issued thereunder are hereby continued in full force and effect until further proclamation by the President."

We now understand that the Proclamation 2039, of March 6, 1933 and Proclamation 2040 of March 9, 1933, will continue until such time as another proclamation is made by "the President". Note that the term "the President" is not specific to President Roosevelt; it is a generic term which can equally apply to any President from Roosevelt to the present, and beyond.

So here we have President Roosevelt declaring a national emergency (we are now beginning to realize the full significance of those words) and closing the national banks for two days, by Executive Order. Further, he states that the Proclamations bringing about these actions will continue "in full force and effect" until such time as the President, and only the President, changes the situation.

It is important to note the fact that these Proclamations were made on March 6, 1933, three days before Congress was due to convene its extra session. Yet references are made to such things as the amended Section 5 (b), which had not yet even been confirmed by Congress. President Roosevelt must have been supremely confident of Congress' confirmation of his actions. And indeed, we find that confidence was justified. For on March 9, 1933, without individual Congressmen even having the opportunity to read for themselves the bill they were to confirm, Congress did indeed approve the amendment of Section 5 (b) of the Act of October 6, 1917.

Referring to the Public Papers of Herbert Hoover (Exhibit 34):

"That those speculators and insiders were right was plain enough later on. This first contract of the 'moneychangers' with the New Deal netted those who removed their money from the country a profit of up to 60 percent when the dollar was debased."

Where had our gold gone? Our gold had already been moved offshore. The gold was not in the banks, and when We, the People lined up at the door attempting to have our contracts honored, the deception was exposed. What happened then? The laws were changed to prevent us from asking again, and the military was brought in to protect the Federal Reserve. We, the People, were declared to be, the same as public enemy and placed under military authority.

Going now to another section of 48 Statute 1 (Exhibit 35):

"Whenever in the judgment of the Secretary of the Treasury, such action is necessary to protect the currency system of the United States, the Secretary of the Treasury, in his discretion, may require any or all individuals, partnerships, associations and corporations to pay and deliver to the Treasurer of the United States any or all gold coin, gold bullion, and gold certificates owned by such individuals, partnerships, associations and corporations."

By this Statute, everyone was required to turn in their gold. Failure to do so would constitute a violation of this provision, such violation to be punishable by a fine of not more than \$10,000.00 and imprisonment for not more than ten years. It was a seizure. Whose property may be seized without due process of law under the Trading With the Enemy Act? The enemy's. Whose gold was seized? Ours - the gold of the people of the United States.

From the Roosevelt Papers (Exhibit 36):

"During this banking holiday it was at first believed that some form of scrip 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 government officials and various local agencies to the advisability of issuing clearinghouse 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 begun, but after the passage of the Emergency Banking Relief 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 banknotes 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 (Exhibit 37):

"Upon the deposit with the Treasurer of the United States, (a) of any direct obligations of the United States or (b) of any notes, drafts, bills of exchange, or bankers' acceptances 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 receive from the Comptroller of the currency circulating notes in blank, duly registered and countersigned."

What is this saying? It says (emphasis added): "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 my 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 (Exhibit 38), 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 (Exhibit 39):

"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 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 (Exhibit 40):

"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 (Exhibit 41):

"When required to do so by the Secretary of the Treasury, each Federal Reserve agent shall act as agent of the Treasurer 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 became 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" (Exhibit 42), 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 (Exhibit 42a) 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. 883, 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 proclaimed by the President. 12 U. S. C. A. Sect. 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 12, 1933 (Exhibit 43):

"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 FDR 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 in Exhibit 22:

"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) (Exhibit 44):

"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 (Exhibit 45):

"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 agricultural 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 takeover of their livelihoods.

Reading from the Agricultural Adjustment Act, May the 12th, Declaration of Emergency (Exhibit 46):

"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 (Exhibit 47):

"It is hereby declared to the public policy of Congress ..."

Referring now back to Prize Cases (1862) (2 Black, 674) (Exhibit 24):

"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 that 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 (Exhibit 48) (emphasis added):

"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 their 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 (Exhibit 49):

"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 (Exhibit 50):

"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 Exhibit 51, Senate Report 93-549, we find a quote from Senator Church:

"If the President can create crimes by fiat and 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, at the bottom right-hand side of the page, 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 (Exhibit 52):

"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 (Exhibit 53) 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 and 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 canceled. Reading from the Agricultural Act, Section 13 (Exhibit 54):

"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 had 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 (Exhibit 55):

"Furthermore, it would be 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 had 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 (Exhibit 56), 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 (Exhibit 57):

"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 intention ... 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 (Exhibit 58) written May 21, 1973, by the Attorney General of the United States regarding studies undertaken by the Justice Department on the question of the 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 were intended by Congress as delegations of power to be used only in the most extreme situations, and for the most limited duration's, have become everyday powers, and a state of "emergency" has become a permanent condition."

From United States v. Butler (Supreme Court, 1935) (Exhibit 59):

"A tax, in the general understanding and in the strict Constitutional sense, is an exaction for the support of 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 v. Butler (Exhibit 60):

"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 v. Butler (Exhibit 61):

"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 and limit 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 v. 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 (Exhibit 62):

"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 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 law. 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 (Exhibit 63):

"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 (Exhibit 64):

"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", a continuation of Exhibit 64:

"Organizationally, in dealing with the depression, it was Roosevelt's general policy 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 (Exhibit 65):

"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* (Exhibit 66), 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 (Exhibit 66), we find the following words:

"5. The laws and usage's 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 (Exhibit 66):

"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 usage's of war."

So we see that our government can operate in two capacities: (a) in its 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 (Exhibit 67):

"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 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 (Exhibits 67(a) and (b)).

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 now the booty jurisdiction given to the district courts by Congress.

It was 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.

Executive Order No. 11677 issued by President Richard M. Nixon August 1, 1972 (Exhibit 68) 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 (Exhibit 69), 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 one-sided 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 94412, September 14, 1976 (Exhibit 70), 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 sigh 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 (Exhibit 71), 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)"

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" (Exhibit 72). 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 reestablished. 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 canceled.

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.

There 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 of 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 who 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, for 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 are 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 national 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 throw 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. No matter how long after the date you read 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", or you can use the form letter you will find enclosed in the report.

We must let our elected officials know that we expect them as servants of the people to help us reestablish law and order and restore our national pride. They must, repeal proclamation 2039, 2040 , and Title 12 USC 95(a) and 95(b), thereby canceling the National Emergency, and reestablish 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, if 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 dally 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 canceled 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 it 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 as well as our future.

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.

Example Letter to the President

Date:

Your Name

Address

City, State, Zip

President Clinton
1600 Pennsylvania Ave.
Washington, D.C. 20510

Sir:

I am an American citizen who is aware of the extraordinary powers conferred upon you by the declared state of "national emergency" under which America has labored for over sixty years. These powers, available to the Executive branch since March of 1933, have effectively placed the American people in slavery, by nationalizing the vital industries of this nation and removing the common law from our court system.

I understand that, because of this ongoing "national emergency", the Constitution of the United States has been effectively set aside. I remind you now of the oath you took upon entering the office which you now occupy by permission of the American people. When you took your oath of office, you swore that you would uphold the Constitution of the United States.

I charge you now to carry out the duties and actions of your oath of office, and return the Constitution to its rightful place in our government by canceling the state of national emergency. I urge you to repeal Proclamations 2039 and 2040 , and the amended version of the Trading with the Enemy Act of October 6, 1917, especially Section 5 (b), under which so many actions injurious to the spirit and livelihood of the American people have been taken. If you are unwilling or unable to take these steps toward restoring America to the Constitutional republic she was designed to be, I urge you to resign from your position as a servant of the American people.

I will continue to urge our government to correct this situation until such time as you have canceled the state of national emergency, and returned the Constitution of the United States to its rightful owners - We, the People.

Sincerely,

Example Letter to the House of Representatives

Date:

Your Name

Address

City, State, Zip

The Honorable [Representative's Name]
United States House of Representatives
2449 Rayburn Building
Washington, D.C. 20510

Dear Sir (or Madam):

I am taking advantage of my American freedom, while I still have it, to urge you to stand up for the American people, and make it your position that the declared state of national emergency which has operated in this great nation for over sixty years be canceled immediately.

I have been apprised of the amendment to Section 5(b) of the Trading with the Enemy Act of October 6, 1917, and understand the extraordinary powers it has conferred upon the Executive branch of our government. These excessive powers have been used to sell our nation into slavery, by effectively nationalizing our vital industries and separating the American citizen from their rights under common law.

I know that the Constitution of this United States has been set aside under this "national emergency". I urge you now, as a servant of the American people, to commit yourself to working for its immediate return to its rightful owners - We, the People. If you are unwilling or unable to take this stand in defense of your country, I request that you tender your resignation so that another may take your place who is willing and/or able to do what you are not.

The 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 our government from falling into error". As such, I hereby charge you to repeal Proclamations 2039 and 2040, and 12 USC 95 (a) and (b), reestablish the Constitution of the United States to its rightful position in our government, and Let My People Go.

Sincerely,

Example Letter to the United States Senate

Date:

Your Name

Address

City, State, Zip

The Honorable [Senator's Name]
United States Senate
703 Hart, Senate Bldg.
Washington, D.C. 20510

Dear Sir (or Madam):

I am taking advantage of my American freedom, while I still have it, to urge you to stand up for the American people, and make it your position that the declared state of national emergency which has operated in this great nation for over sixty years be canceled immediately.

I have been apprised of the amendment to Section 5 (b) of the Trading with the Enemy Act of October 6, 1917, and understand the extraordinary powers it has conferred upon the Executive branch of our government. These excessive powers have been used to sell our nation into slavery, by effectively nationalizing our vital industries and separating the American citizen from their rights under common law.

I know that the Constitution of the United States has been set aside under this "national emergency". I urge you now, as a servant of the American people, to commit yourself to working for its immediate return to its rightful owners - We, the People. If you are unwilling ' or unable to take this stand in defense of your country, I request that you tender your resignation so that another may take your place who is willing and/or able to do what you are not.

The 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 our government from falling into error".

As such, I hereby charge you to repeal Proclamations 2039 and 2040, and 12 USC 95 (a) and (b), reestablish the Constitution of the United States to its rightful position in our government, and Let My People Go.

[Original Link](#)

The Informer

The Genesis of the Emergency / War Power Act

Definitions:

Specie—Gold or silver coins of the coinage of the United States. *Belford v. Woodward*, 158 Ill 122, 41 Ne 1097. *Ballentine's Law Dictionary* Third Edition, 1969.

Enemy—The status of a person as an "enemy" for the purpose of the application of the Trading with the Enemy Act is determined with reference to domicile or residence the territory of the nation which is a belligerent against the United States rather than according to nationality, 56 Am. Jur 1st War Section 83, *Ballantines Law Dictionary* Third Edition, 1969.

State—In Webster's 1828 American Dictionary it defines State in 15 different ways. It is how it is defined by a particular group of people when they want it to be applied by statute. It is such a gross misrepresentation when the question is asked, "What is a State," that it is impossible to answer the question without knowing how the law makers have defined it. But the true meaning of the word State from its very origin means, "To Stand." Webster's 1828 Dict. states; "n. L. status, from sto, to stand, to be fixed. State is fixedness or standing." State in one sense means government, while State in another sense mean people for tax purposes. It also says, "Estate; possession. Now obsolete."

Estate — n. L. status, from sto, to stand. The roots stb, std and stg, have nearly the same signification, to set, to fix 1. In a general sense, fixedness; a fixed condition; now generally written and pronounced state." Webster's 1828 American Dictionary.

Again there are many meanings depending on how one wants to use the word as noted in the definition of State above.

There are a few people who have said that the Emergency and War Power Act written into the Constitution was used by Roosevelt during 1933 to create certain laws that made us the enemy. This statement is true to the extent that Roosevelt made us the "enemy" of the Federal Reserve System. However, we have to go back further in History to find when these powers (Emergency Power /War Power) were first and subsequently used.

The first use of the Emergency and War Power Act

The first use of the Emergency and War Power Act was by George Washington in 1791. Washington used the Emergency Power portion of the Act. This was to enable Washington, at Hamilton's insistence, to use an existing private bank, controlled by the Crown through its British Board of Trade, to become the first bank of the United States. Jefferson and two other men wrote constantly to Washington telling him that there was no such authority in the Constitution to create a bank. Neither Jefferson nor the other

two men could sway Washington. Washington, using the Emergency Powers Act, went ahead and created the First Bank of the United States. Also at this time he overlaid the states into "districts of the United States." He did this so that those state banks, who after the creation of the first Bank, were forced to contract with the First Bank in New York so they could continue to operate with United States money. Washington did this because the United States deposited all the money it collected into all the private banks in each of the states from before the Revolutionary war to the institution of the first Bank of the United States. The United States wanted to centralize all its accounts in this First Bank while allowing the hundreds of other banks scattered throughout all the states to continue to hold its money.

This is much like the corporate takeovers of today, where a large bank absorbs small banks that continue to operate as satellite banks with all the accounts having to clear through the parent bank. This then allowed the foreign British controlled bank to more easily collect and pay back the debt owed the Crown by the State and United States as was directed in Article VI of the United States Constitution.

The First Bank

The First Bank of the United States was not at all owned by the Congress but was privately controlled by the British Board of Trade stockholders. The Bank, if begun in France, would be called the First Bank of France. Do not let the terminology fool you into thinking that it was a Bank created by Congress. The ownership was foreign. The "foreigners," noted as Stockholders, were many Americans and therefore, foreigners to the international banking industry. Most of these foreign bankers came from England. Chief Justice John Marshall held the second highest shares in this bank. The documents I have, show that Marshall was considered a "foreign stockholder." He was foreign because the bank was a foreign concern operating within America. Marshall, being a United States citizen, was a foreign Stockholder.

The Tories were helpful in setting the stage for the inception of the Bank. The Tories were people controlled and working for the King. The King did not want the Rothschilds or the Lombards to take control of the first bank in the United States. The King wanted his bank of England to control the first bank. This setup went back to the Treaty of 1783 and emanated from that treaty and those created after that.

The Second major use of Emergency and War Power Act

Now we come to the second major use of the section in the Constitution. President Lincoln used the War Power portion of the Act during the Civil War to create certain

statutes, the most important being 12 Stat 319. One has to read 12 Statutes at Large 319 to see that the southern states people and all others sympathetic to the south were declared "enemies of the State." The State of course being the United States and not the individual States of the Union. One thing people do not realize is that the word "Estate" is now termed "State" in America. The etymology of the word "Estate," is described in Webster's 1828 American Dictionary of the English Language.

After Lincoln was killed and President Johnson took over, he immediately vetoed Lincoln's War Powers Act, thereby making the south free again and not under the War Power act. However, there was much debate about how the south was forced to attend congressional meetings and really not allowed to secede from the Union. Some northern state Senators were in sympathy to the south's plight. (One has to remember that the senators were not a part of the Congress as they are today since the passage of the 17th Amendment. The Senators protected the State's interests at that period in time while the Congress, which today is known as the House of Representatives, protected the people's interests). The Northern States Congress vetoed President Johnson's veto of Lincoln's War Power Act, thereby reaffirming that all Americans are enemies of the State. These acts can be found today in Title 50 sections 212, 213 and 215 and among other U.S. Titles, i.e 28 USC. These are today's forfeiture laws that the United States uses freely against the people who are still declared "enemies of the State." The Congress liked this control. It then went on to make the famous Reconstruction Acts of March 2, 1867, which put all the people under the military Rule of the Reconstruction Acts.

Do not confuse this with martial law. It is not martial law. Under military Rule, civil authorities administer the military rule. Under Martial law the military rules and moves aside the civil authorities. Today Americans are still under Military Rule.

The Civil Rights Acts of 1866 failed because there was too much dissention among the states. These Reconstruction Acts of 1867 were made which put into effect the War Power Act. The civil Rights Act s resurrected as the 14th Amendment and passed by the northern states against the wishes of the southern states. The eleven southern States were all put under Military law for a while and then the civil authorities operated after the Reconstruction Acts were completed. The 14th Amendment has been declared unconstitutional by many Law Reviews, The South Carolina Quarterly Law Review and Scholars of law due to the above facts.

Congress had now gained control of the enemy through the 14th Amendment and everyone was therefore made a "United States citizen." The control would be complete

in every southern state including the northern states as well. Now the Constitution cannot have a law applied only to certain states so it had to apply to all, including the northern states as well. Now you know why we are, still to this day, the enemy of the State. Do not think for one moment that you are not the "enemy" of the State. All one has to do is research what The Informer, Montgomery, Stern and a very few other researchers have already uncovered that proves the above points of fact.

Now there is one point that needs to be brought forth which led to Lincoln's plunder of the people. The Civil War was fought over money, not civil rights of the black man. That point has been made clear in our research. Right before the Civil war the United States and the States were getting ripped off in what was called the "wildcat banking" swindles of the 1830 era.

To protect their assets the United States and the States created an Independent Treasury in 1841. This Independent Treasury was short lived because the Whig party took control from 1842 to 1845 and abolished it. After the Whigs lost the elections in 1846, the Independent Treasury was reestablished in 1846. It dealt in Specie, as demanded by the Constitution of the United States. The private banking cartel of the Bank of England did not like this one bit. They had allowed the plunder of the States money in the 1830 era. French bankers always had control of most of the southern states. The south was known for having about 75 percent of the net worth of the country. This is why the war was fought, so the Bank of England could obtain a bigger bite out of the commerce that was taking place in the south.

Albert Nock, in his book, "Our Enemy the State" did not bring forth the reasons as I have in this writing. Right after the Reconstruction Acts, the "other" banking cartel, the Rothschilds, started to gain a foothold into the banking system. Before that everything was controlled strictly by the Bank of England and France. You have to remember, the French banks were partially owned by the King of England. The King did not have enough power to control French banks as he did his own in this country.

From the 1867 era until circa 1890 there was much strife with the gold and silver devaluation and the stock market crash. This caused much concern within the banking system. After a long battle between the English banking system and the Independent Treasury; the Girards, Vanderbilts, Goulds, Blairs, Garretts, Rockefellers, Morgans, Astors, Mellons and the like, who were in league with the "other" banking cartel, had a hand in creating the Federal Reserve banking system through their control of government. However the Independent Treasury posed a problem to this cartel, in that the Independent Treasury dealt in specie and U.S. Notes. People's money, while in the

Independent Treasury, was protected, as well as was the States and the United States, because its reserves were adequate to cover all the people's money.

With much wheeling and dealing in private, with those mentioned in the above paragraph, the Independent Treasury was abolished by the Act of 1920 in the year 1921. At this point those in the Independent Treasury would have lost their jobs if Congress had not created the GAO, which is where most of the treasury people went. The GAO is still the auditor for the United States. The Attorney General and the Treasurer of the United States must report to the GAO all monies collected and disbursed. The Attorney General does this in his or her capacity as Alien Property Custodian. We are considered aliens to the States and United States, therefore our property may be seized under forfeiture laws of the Alien Enemy Act.

"Office Found" and "Estate/State"

As stated by the supreme court of Georgia 14 Ga 438, the people, which is you and me, are not parties to the Constitution, only the States are. That is why the enemy is considered aliens. Do not for one minute think you are the State. The State consisted of the Proprietors, wealthy land owners, Dukes, Earls, Royal Governors and those holding property under grants by the King of his estate and their heirs, forever. Those heirs were to hold the "office found" and are in complete control of the "Estate." Now all you have to do is convert the word Estate to its legal meaning in America and you have "State" of the compact, which you call Union. The Federal Reserve System then became the Agents of the United States and the States. All the Independent Treasury's real money and U.S. Notes were to be kept separate from Federal Reserve Notes as stated in the abolition law;

See Title 5 USC 5512, Historical and Revision notes. "In subsection (b), reference to the 'General Accounting Office' is substituted for 'accounting officers of the Treasury' on authority of the Act of June 10, 1921, ch 18, title III, 42 Stat. 23. Reference to the 'Attorney General' is substituted for 'Solicitor of the Treasury' and 'Solicitor' on authority of section 16 of the Act of March 3, 1933, ch 212, 47 Stat. 1517; section 5 of E.O. 6166, June 10, 1933; and section 1 of 1950 Reorg. Plan No. 2, 64 Stat. 1261."

From 1922 to 1929 the private federal reserve agents of the United States used the gold and silver, the "reserves," in overseas dealing in property and business. They used this for foreign business ventures that fell through as bad deals. If people got wind that the Gold and Silver were depleted and if the Federal Reserve Notes were to be cashed in,

there would not be enough reserves left. That would be a national emergency. Then a crash of the stock market was created to draw the people away from this fact.

The Third major use of Emergency and War Power Act

The Federal Reserve then wrote a letter to President Hoover. This letter, written by the lawyers using the War Powers Act of 1917, was the basis for the President to declare a national emergency to cover the Fed's stealing of the people's money. Hoover said no, as it was unconstitutional because the Federal Reserve drafted it so that the people would become the enemy of the banking system. The proposed Act, which subsequently became 48 Stat 1, would convert sec. 5(b) of the 1917 War Powers Act to eliminate the American from the protected class of people and included them as the enemy. Hoover left office on March 4, 1933. The "Hoover Papers" describe what went on from March 1 to March 5 of 1933.

Roosevelt took office on March 5th and immediately did what the Federal Reserve wanted, word for word. On March 9, 1933, he called Congress into special session and told them under Executive Order 2039 that they will pass this 48 Stat 1. This act forbade any American from holding any gold or suffer 10,000 dollars fine and jail time. All of this happened because the people wanted their real money (Specie) from the bank, who was supposed to be protecting it. The banks could not return to the people their own real money. They (the bank), had in essence, stolen it.

Rockefeller was the owner of the Bank of Chicago. This bank was the second largest in the country. If a run on this bank was begun by the people, it would cause the bank to collapse. Rockefeller would probably be hung by the people or at least be brought up on embezzlement charges as would all the other banks in the Federal Reserve system. Rockefeller and Roosevelt were law buddies and Roosevelt had to protect his friend.

This was the third use of the Emergency act. It was used to protect the banks. The first time it was used to create the banks. Now we have the people as the "enemy" of the bank. That is why the banks had to be closed for six days to allow the President to issue to all the banks a license. This license allowed the banks to deal with the "enemy." That "enemy," dear reader, was and is, us..!!!

How do you control the enemy?

What was the real reason for the Social Security number? Is that not a license for the enemy, us, so we can trade with the banks and also others that are not the enemy such as your fellow American? When reading the entire 48 Stat 1 and attendant Agriculture

Acts and all the alphabet agencies laws created by Roosevelt, we are their enemy and are in need of a license. All one has to do to verify this is to obtain Mr. Gene Schroder's material as it is too lengthy to go into detail in this writing. Also pull all the statutes, session laws of Congress, Congressional Reports that I have mentioned, and 12 USC 95 (a)& (b) to see what I mean.

You must also pull the two U.S. Supreme Court cases in 1935, cited as 363 U.S. 603 and 301 U.S. 548; the book titled, Social Security: The Fraud in Your Future, by Warren Shore; and finally, "Hearings Before a Subcommittee of the COMMITTEE ON WAYS AND MEANS House of Representatives, Eighty-Third Congress, First Session, Part 6, Analysis of the Social Security System, November 27, 1953, Pages 879 to 1521." In the above cited material it says that; Social Security is not a special Trust Fund. It is not Insurance. It is a gift from government, and not considered income. It is not a contract. It is a flat income tax on employees. The employer matches no funds because the tax on the employer is a separate tax for the privilege of hiring workers. That not one dime goes to a special trust because there is no such trust. All Social Security taxes go into the general treasury. Congress can shut down Social Security anytime it wants as there is no obligation on the Governments part to pay as it is merely statutory benefits. Payments are at the discretion of Congress. Payments are to promote the general welfare of the United States only. There is no vested or inherent right to receive Social Security payments. All these are true statements.

The statement quoted below is from the conclusion of the above mentioned Report and can be found on page 1485 et seq. It will lead you to believe the Social Security number is nothing but a number to track the "enemy" since the number does nothing for you.

"As already indicated, I am one who feels deeply that the level of social insurance benefits must be kept within proper bounds lest the system get out of hand and become a means of perpetrating a political party in power. Once entrenched, the Executive would use social insurance to enslave people. Hitler's control of the German social-insurance system enabled him to force individuals to conform to his program. Those who deviated stood to lose their benefits. In social-insurance we are therefore dealing with something that could become an instrument of dictatorship."

Truer words were never spoken since no one can do anything without the number. Hitler's principles rule again and you truly are an enemy slave under the executive military rule. The government has told you in its own words that the Social Security number is nothing more than an "enemies" license number issued for the purpose of trading with the enemy.

SYNOPSIS

The Bank of England caused Washington to create the First bank of the United States in 1791 for the purpose of controlling the money. It then ran into a problem in 1846 when the Independent Treasury was created by the U.S. and the States to protect their own money. President Lincoln then made us the enemy of the Government (State) by 12 Stat 319 in 1862 and Congress continued to keep the status quo by the creation of the Reconstruction Acts in 1867. Then in 1868 the 14th Amendment placed the people of both the north and south under the control of the military rule. The "other" banking system, after gaining a foothold in 1913 by the creation of the Federal Reserve System, caused the demise of the Independent Treasury. To complete the enemy status, Roosevelt finalized us as enemies of the bank in 48 Stat 1, March 9, 1933.

It is the Congress that has enslaved the people of this country in order to placate the international bankers of the Federal Reserve System and those of the "300." This is a little known group of controlling people that operate above the law in this country and control the Congress. The people were never in control of anything since day one (1787) and before. It is all smoke and mirrors for the purpose of deceiving you and plundering. The total object from the 1791 Act by Washington, to the 1933 Act by Roosevelt was to totally control the money and the labor of the people. This encroachment on the people's liberty took place over an extended period of time so as to not make obvious that which would be otherwise intolerable. The Social Security number plays but a small part in the overall scheme. Before the number existed, your lineage were considered the enemy under the 1867 Reconstruction Acts and you, being their heirs, are still the enemy today.

To the informed reader this paper gives the "why and how" , to the novice it gives "food for thought". To both I ask the question "what is the remedy or recourse.?" Do you throw up your hands, totally give up and continue submitting to our enemy, "the State" by licensure, remain in banking and all the attendant snares that entrap you, or do you finally "draw your line in the sand ?". Control of Money was the first step in your enslavement which has been nearly accomplished. Now, fingerprinting, compelled use of the enemy's SS (Social Slave) number in everything you do, retina eye scans, plastic credit cards, body microchips, and national I.D. similar to old Germany and Russian control of their people are on the horizon as the final step. Each reader has a talent, whether a leader or a follower, and both must understand the task at hand. Individually we must make a difference and work with others of the same mindset, because if we don't.