PHOENIX JOURNAL EXPRESS

A weekly bulletin commenting on appropriate current news events, clarification of portions of Journals and answers of a general nature to questions not found in the existing Journals.

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8/7/90 HATONN

Hatonn present in the service of God and I must rest some heavy attention upon you ones. I must require that you take the attack and threat upon you yesterday, seriously indeed. You are dealing with a totally irrational personage who fully meant that which he said. I request that you call the police, George, and play the tape to them so that it is well documented as to intent. We must not attend every threat, even as with the prior threats of Cooper against you ones. I ask that the message be reproduced verbatim herein in this first segment. I believe that you should not allow vulgarity to stop you from writing that which was given. WE MUST ALLOW THE READERS TO UNDERSTAND HOW SERIOUS ARE THE THREATS TO OUR GROUP. NOTE THE CALL WAS ANONYMOUS AND "DEADLY"--THE MAN FURIOUS TO IRRATIONALITY AND BORE NO "FACTS" WHATSOEVER SO THERE IS A PERSONAL VENDETTA AT PLAY. SATAN IS AT WORK EVERY MOMENT, DEAR ONES, AND YOU MUST PAY ATTENTION TO THE MAIL MOST CLOSELY IN ADDITION TO JUST USING SIMPLE CAUTIOUS INTELLIGENCE.

I FURTHER REQUEST THAT THE MESSAGE BE PLAYED TO THE GATHERED GROUP THIS AFTERNOON FOR I MUST DISCUSS IT. I WILL ADD HEREIN, THAT WE OF THE COMMAND ARE ~~RUNNING~~ VERY SHORT OF PATIENCE WITH THESE OFFENDERS AND MAY THAT WORD ALSO GO FORTH. AHO.

"I'm comin' after & kill every f***in one of you, ya dirty rotten f***in communists, motherf****rs, I'm gonna f***in screw you."

REGIONAL GOVERNMENT/CONSTITUTION

I know you don't want to go back to the Constitution and the nag, nag, nag but with the Freedom '90 meeting over, it has pretty much laid itself dormant again, by the distraction about your nation and world. If you cannot maintain control of your Constitution, all the books on secret dealings, even today, are not worthy of your attention. Congress felt a need to recess at the most critical time of your year and yet the conspirators who plan to control you will be on hand if voting in Congress is required. Oh, they will play with it but they will choose the incorrect passage.

You ones cannot depend on "another" state to carry your responsibility. Further, many states, such as California, already know you have corrupt and bribe taking representatives--they are under the glass for the S&L, Lincoln Savings. Do you actually think they will vote for more laws to bring themselves down? So be it.

Legislation is mandatory in each state to outlaw Regional Government and to restore your Constitutional Government by following the U.S. Constitution which is by-passed by Regional Government. This must be accomplished by the various State Legislatures in each State. Your Representatives must be voted into office by informed voters and then supported in their actions by the voters. The Regional Government concept will, unless stopped, cause the United States to lose its sovereignty and become merely one state under the United Nations Charter. You are already experiencing rule by "region" and unconstitutional judiciary; it is left only to make it official.

CONSTITUTIONAL ILLITERATES

There is a way to correct the problems you now face. It is through clearly identifying the problems that is mandatory to assure the American people that indeed something can and must be done. You need not stand by and watch your "home of the brave and land of the free" be totally obliterated from the face of the earth.

There have been some major usurpations which now make it difficult, such as the Federal Reserve Act and the United Nations Treaty, etc. And why would this latter be so important? Because it sets up administrative government/regional arrangements world-wide. In 1945 with the U.N. Charter becoming law for the World and your U.S. Constitution passing into history--the stage was set and the players in place.

The Constitution is often referred to in passing but hardly anyone ever reads it--it is no longer studied in your schools except as a passing interest. This has to be true for if it were not there would be no Balanced Budget discussion for amendment nor anti-flag burning consideration for these things are covered in detail within the Constitutional laws.

Do you believe that lawyers study Constitution Law in law school? Banish the thought for that which is labeled Constitutional Law involves memorizing the catechism by which one provision after another of your Constitution is construed out of existence. If a poor defendant comes to court and asks about Constitutional "rights" he is very likely to be cited and jailed for contempt of court. This is not a jest, dear friends--this is fact. Lawyers have no wish to correct such a problem for fees come from "breaking" all the Constitutional Laws.

Are you curious why it is that a lawyer, one of the high priesthood of the law who is supposed to have legal answers, ends up not having an answer to what can be the most critical issue of your time? The reason, of course, is that he is trained in other areas. A lawyer can draw you a Will quite competently but he will never tell you to incorporate in Nevada and you don't need that will he just charged you for preparing. He can quote legislative rules backwards and forwards and especially those of "form" preparation. He has even managed to get the legislature in several states to cease to allow forms from the people in pro per and, if they insist on doing it themselves, the cases are thrown out because the "forms" are in some measure incorrect in format.

There are schools which would teach basic jurisprudence but the teachers and students refuse participation because, "There are no questions on Bar Examination on it, so why should we bother with it?" Well, it matters not who is to blame for ignorance and decay--it matters that you find a remedy for this most cancerous situation.

THE PROBLEM

> Abraham Lincoln did at least mention the Constitution when he said, "I do not forget the position assumed by some that Constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties of a suit, as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the Government. And while it is obviously possible that such a decision may be erroneous in any given case, still the evil effects flowing from it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice.
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> "At the same time, the candid citizen must confess that if the policy of the government upon vital questions affecting the whole people is so irrevocably fixed by decisions of the Supreme Court the instant they are made in ordinary litigation between parties in personal actions, *then the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal.* Nor is there in this view any assault upon the Court or the judges, it is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decision to political purposes."

Funny thing--the duty to which Lincoln referred was, "The power to decide includes the power to decide wrongly." If you submit a case to a judge, that judge has the obligation to make a decision; and if he is to make a decision, a judge, being human, can make errors. Such an error, if it is an error, only results in the misapplication of the law to that one particular case--and always, such possible errors can be righted in a requested additional hearing until such time as satisfaction of fact and justice can be entered by a jury of peers.

Let us observe a serious blunder in interpretation of happenings. You, if you were a lawyer, and herein I tell you all, the case of *Marbury v. Madison* is the case that gave the Supreme Court the power to declare ***an act of Congress unconstitutional.*** If you ask ten law students that question, they would all affirm (under memory of the catechism) that the case of *Marbury v. Madison* ***IS*** what gave the Supreme Court the power to declare an act of Congress unconstitutional. However, this is a form of accusation against the Supreme Court that the Court should not be convicted of, because they simply are not guilty. The decision was written by one Chief Justice, John Marshall. Marshall did ***not*** do what his detractors have said that he did. Marshall did ***not*** use any legislative power: Yet, if he could declare an *act* of Congress unconstitutional, he would be exercising legislative power. IT REQUIRES LEGISLATIVE POWER TO UNMAKE AN ACT OF CONGRESS.

What Marshall actually said in the case made no such claim to legislative power. First he found, on the basis of affidavits showing the execution of the Commissions involved, that the commissions were not lawfully being withheld. They should have been delivered and the issue in the case was whether or not it was possible to compel their delivery. Marshall observed that the Congress had purported to enact a Statute, which provided that the Mandamus (the name of the formal Writ to compel the delivery of the commissions) prayed for could be issued by the Supreme Court. However, the Constitution called for NO such power.

The Congress could not give to the

Court what the Constitution had not given the Court; nor could the Congress enact a Statute that went beyond the limits of power as defined in the Constitution.

Neither the Court nor the Congress, nor any other special agency, has the power to go beyond the authority specifically granted. The Court in *Marbury v. Madison* did not have before it what is sometimes referred to as the "question" of whether the Constitution had given the Courts the power to declare an *act* of Congress invalid as in violation of the Constitution. Nor did Marshall so decide, though this idea is often imputed to him by those who are unable to discern the basis for the ruling.

Marbury v. Madison merely determined that the Constitution gave no power to Congress to give to the Court. And there you have it--one misinterpretation following another until it is accepted as factual truth.

Being without authority, there was no Act of Congress. The idea is expressed in the decision that the purported act was void. Congress had no power to act.

For this reason, the ruling in *Marbury v. Madison* does *not* state that the "act" is unconstitutional. It merely applied the already established law that, being beyond the authority of the Constitution, the purported act was void. It was not an Act of Congress and would not be considered as evidence in the case before the Court.

This ruling on evidence is how Marshall arrived at the use of judicial authority in that case. The Supreme Court has no power to declare an Act of Congress unconstitutional. But they may, sitting as a Court of original jurisdiction, as they did in **Marbury v. Madison*, DETERMINE WHAT IS EVIDENCE AND WHAT IS NOT EVIDENCE IN THE CASE. Here the Court was using judicial authority to determine whether the purported act of Congress was evidence or not. The Court must approach the matter as a question of evidence in order to have any authority to consider it. The Court does not have the power to interfere with legislation of Congress.

It is heinous, indeed, to note that the new candidate for the Supreme Court Bench is asked about personal opinions on abortion, etc., ad nauseam and NO ONE ASKS THE MAN IF HE IS A STUDENT OF THE CONSTITUTION! NO ONE GIVES A DAMN. I CAN GUARANTEE THAT IF THEY DID SO AND HE RESPONDED AFFIRMATIVELY, HE WOULD NOT BE APPOINTED.

If the act is not authorized it is void and not an act of Congress. But the power of the Court to determine whether Congress had authority to enact the Statute only applied for the purpose of the judicial effect of the purported statute in that case, and it is only binding on the parties to that particular case.

You have departed, particularly in recent years, from what Lincoln considered to be the proper judicial function. In 100 years you have decayed. Lawyers, principally, are telling everybody that the Supreme Court is doing this, and that the Supreme Court is doing that, when in truth and in fact, the Court is doing no such thing because it lacks authority to do it. This, friends, is only an example so that you might have a bit of balance as we move along here.

REMEDY BACKGROUND

In order to observe what remedy is to be applied to this distressing situation you need to understand the history of your Constitution. The Treaty that concluded the Revolutionary War was one where 13 Nations were recognized as sovereign States. Many of them had their own diplomatic delegations; many of them issued their own money, which is an exercise of the supreme prerogative of government. You have the exact language from the Treaty of Peace itself where His Britannic Majesty acknowledges the said United States, that is, New Hampshire, Massachusetts Bay, Rhode Island, Providence Plantation, Connecticut, New York, etc. "to be free, sovereign and independent states". By this is meant that they were free, sovereign and independent *nations*, having all of the attributes of sovereignty. They didn't need to agree to continue under the Articles of Confederation. They didn't need to form the Compact known as the Constitution of the United States. They were at liberty to go their separate ways if they so elected. The manner in which your Federal agencies originated is not very widely understood. An analysis that cuts through a lot of the confusion surrounding this subject appears in the Report of the New York Legislature of 1833. Many of the men in the New York Legislature had personal contact with the Founders of your Republic. The Report appears in an Autobiography of Van Buren:

> "The character of our government, so far as that is affected by the manner in which the Federal Constitution was framed and adopted, has been always a matter of more or less contention. Differences of opinion upon the subject have been in some degree fostered by a seeming discrepancy between the preamble of the Constitution and historical facts; and perhaps in a still greater degree by the different senses in which the term 'States' is used by different persons. If we use that term, not merely as denoting particular sections of territory, nor as referring to the particular movements, established and organized by the political societies within each, but as referring to the people composing those political societies, in their highest sovereign capacity (as the committee think that in this respect the term should be used) it is incontrovertible that the states must be regarded as parties to the compact. For it is well es-

tablished that, in that sense, the Constitution was submitted to the states: that, in that sense, the states ratified it. This is the explanation which is given of the matter in the report of the Virginia legislature, which has already received the sanction of the committee. It is in this sense of the term 'States' that they form the constituency from which the Federal Constitution emanated, and it is by the States, acting either by their Legislatures, or in Conventions, that any valid alterations of the instrument can alone be made. It is by so understanding the subject that the preamble is reconciled with facts, and that it is a Constitution established by 'the people of the United States', not as one consolidated body, but as a number of separate and independent communities, each acting for itself, without regard to their comparative numbers. It was in this form that the Constitution of the United States was established by the people of the different states, with the same solemnity that the Constitutions of the respective States were established; and, as the committee have heretofore insisted, with the same binding force in respect to the powers which were intended to be delegated to the Federal Government.

"The effects which are likely to be produced by the adoption of either of the different versions of the Constitution contended for, it is not the intention of the committee to discuss. The positive provisions and restrictions of that instrument could not be directly abrogated by the recognition of either. The comparative weight and influence which would be attached to the allegations and remonstrances of the States, in respect to supposed infractions of the compact, might, however, be very different, whether they are regarded as sovereign parties of the compact, acting upon their reserved rights, or, as forming only indiscriminate portions of the great body of the people of the United States, thus giving a preponderance to mere numbers, incompatible with the frame and design of the Federal Constitution. The diversities of opinion which have arisen upon this subject have been more or less injurious, according to their influence in inclining or disinclining the minds of those who entertain them, to a faithful observance of the landmarks of authority between the respective governments.

"Professions are easily made, and the best evidence of a correct appreciation of the nature and design of the system by a public agent is to be found in the general bearing of his official acts. If his conduct be characterized by a desire to administer the government upon the principles which his constituents have elected, and by a determination to repudiate the dangerous heresy that the Constitution is to be interpreted, not by the well understood intentions of those who framed and of those who adopted it, but by what can be made out of its words by ingenious interpretation; if he honestly believes that the people are the safest depository of power, and acts up to that belief, by evincing an unwillingness to exercise authority which was not intended to be granted and which the States and the people might not, on open application, be willing to grant; if he has steadily opposed the adoption of all schemes, however magnificent and captivating, which are not warranted by the Constitution--which, from the inequality of their benefits and burdens, are calculated to sow discord where there should be union, and which are too frequently the off-spring of that love of personal authority and aggrandizement which men in power find it so difficult to resist; if he has done all in his power to arrest the increase of monopolies, under all circumstances so adverse to public liberty, and the equal interests of the community; if his official career has been distinguished by unceasing assiduity to promote economy in the public expenditures, to relieve the people from all unnecessary burdens, and generally to preserve our republican system in that simplicity and purity which were intended for it--under which it has hitherto been so successful, by which it can alone be maintained, and on account of which it has, until this moment, stood in such enviable and glorious contrast with the corrupt systems of the old world; if such be the traces of his official course, and if in maintaining it he shall have impressed all mankind with the conviction that he regards as nothing, consequences which are merely personal to himself, when they come in contact with duty to his country, the people of the United States will not doubt his attachment to the true principles of that Constitution which he has so faithfully administered and so nobly supported.

"Such, the committee take pride in saying, has been the official course of our present Chief Magistrate, a course by which, in the estimation of the people of this State, he has established for himself imperishable claims to their gratitude, respect and confidence."

It is not just constitutional heresy to disregard the *intent* of those who framed and those who adopted the Constitution. It is ***UNLAWFUL***.

Further than this, this constitutional apostasy places upon the States the *responsibility* to enforce the Constitution. The responsibility has not been discharged, largely because your State Legislatures have not realized that this responsibility is theirs to dis-

charge. Congressmen certainly don't read or understand the Constitution--they are basically politicians in the game for the power and self-prestige.

Your basic problem in the enforcement of constitutional limitations can be boiled down to a simple analogy: The farmer sends his hired hand to market with a load of potatoes to sell and the hired hand sells the team and wagon. Another hired hand can get the first hired hand aside and say, "Charlie, you knew that was Farmer Brown's favorite team and wagon, you had no business selling them." A third party can come forward and say, "By golly, everybody knew that the hired hand was supposed to sell the potatoes, he shouldn't have sold anything else."

All such scoldings are completely ineffectual. It is only the farmer, the principal, in dealing with his hired hand, who has authority to do anything about it. The farmer has three courses open to him: It might be that if the hired hand got a good price, the farmer can ratify and say, "Fine, give me the money, here is a Bill of Sale". A second course of action, and the most obvious, is for the farmer to repudiate. If he repudiates the act of his agent, then the hired hand is unable to convey good title; the transaction is set aside and Farmer Brown keeps what he set out to keep.

But there is yet a third course of action, or you might call it *inaction,* but it results in the same thing as one of the other two that has been discussed, and that is for the farmer to do nothing. If he does nothing, that hired hand, who had no authority whatever to begin with, conveys good title that is binding upon the farmer, not because the hired hand had authority, but because his act was implicitly ratified by the inaction of the principal.

If you define your terms and analyze just what the trouble is in the United States with regard to restoring Constitutional Government, you can see a number of things. First of all, what you sometimes decry as supposed acts are not acts at all, they are the attempted acts of special agents created by the Constitution. There were three such agencies created in the first three Articles of the Constitution: Number 1. dealing with the Congress; Number 2. dealing with the Executive Branch; and Number 3. dealing with the Courts -- all of them special agencies, having limited powers.

Therefore, these agencies have to look to that instrument, and to that instrument alone, for a specific enumeration of their powers. But that is always the very last instrument even considered for reference. Something has gone wrong and your State Legislators say, "We don't think that federal courts ought to tell us how to apportion our State Legislatures, we think that it's horrible for the Federal Courts to undertake such Judicial Legislation." They call it "judicial legislation" when, in fact, these State Legislatures, themselves, are the ones who are to blame. Whether they know it or not, the STATES are, in law, the PRINCIPALS; and it is through the State Legislatures that the State speaks in its highest sovereign capacity. Therefore, the State Legislatures have a responsibility, which they are not discharging; and if Federal Agents come along to enforce some ruling that the Legislators don't like, it is not the act of the Federal *agent* which is changing the Constitution, it is the *inaction* of the State. It is the State's act, or failure to respond to this challenge, that is causing the degradation of your Constitutional system.

It is very difficult sometimes to talk to Legislators who have been psychologized into thinking that (1) all great and good things come from that Mecca in the Eastern part of your country, Washington, D.C., and (2) that the States somehow form some sort of satrapies, or provinces, that are dependent upon the Federal agencies for their very existence. Indeed, even the term "States Rights" is something of a misnomer because the issue is not a question of States Rights. In using that term, you tend to think that the States have certain Rights and if the Federal agencies will allow it, then maybe the States can exercise those Rights. That isn't the case at all.

The question is, what powers are delegated to these special agencies? The next succeeding question, of course, is what the State must do to correct an excess of its agent. Many say that, if the State enforces the Constitution, it would be putting the Congress or the President or the Supreme Court or some Federal Agency at defiance and therefore you would end up with anarchy. But it wasn't anarchy when Marshall in *Marbury v. Madison* decided that the Congress had no authority to enact the Statute that the Congress claimed to enact. Nor is it anarchy to enforce any of the provisions of the Constitution. Quite the contrary, you are allowing yourselves to fall into a condition of uncontrolled and uncontrollable anarchy by your failure to enforce the provisions of the United States Constitution.

GREAT REPOSITORY OF POWER

One of your jobs is to get your State Legislators to lose their inferiority complex. They have the idea that because a Federal Representative gets a lot more money than a State Legislator does that therefore the Congressman has more authority. And lawyers frequently share the view that the name "Supreme Court of the United States" means that this is the Court to which all good legal beagles must turn and point, to get the next signal as to what new "Statute" shall be conjured up by a majority of that group. This is not the law, and it is unfortunate that lawyers are ignorant of the principles upon which your Constitution was founded. It is not a question of turning to the Supreme Court to find out what to do; because what the Supreme Court shall do under the Constitution is what the Constitution says it shall do. To get any change in their Commissions all

Federal agencies must reapply to their principals, the States. Merely because you have an organization called the Supreme Court of the United States does not detract from the fact that the Supreme Court of the United States is probably the Court of least jurisdiction of any with which you are likely to come into contact. You take a case into the Federal System, and you have to show specifically how you get jurisdiction to attach to that case. You have to allege a jurisdictional position; you have to make allegations of citizenship to show that it comes within the specifically limited areas that the Federal Courts have any authority whatever in which to act. And the Supreme Court of the United States is further limited to act only with "such exceptions, and under such regulations as the Congress shall make". The State Court is not so limited. Neither is a State Legislature so limited.

The State Legislature can do anything it chooses, barring interdiction by either the Federal or the State Constitutions. On the contrary, the Federal Legislature may lawfully enact only in those specific areas where they are specifically given authority. The Ninth and Tenth Amendments to the Constitution are sometimes referred to as "mere surplusage" -- they add nothing. They were put in to make abundantly clear a limitation that was already there in the manner in which the Constitution was formed -- by making special agencies in the first place. The Constitution was clear that it was only those powers that were delegated that could be exercised by those agencies, and putting in specific Amendments spelling that out in express terms really adds nothing. However, it does make it more difficult for usurpers to deny that those limitations are there.

Usurpation is a bi-lateral act. It does not consist alone of an attempt to exercise power by someone having no authority to exercise that power. It consists of that in the first instance (someone trying to exercise the power who has no authority to do so). But to complete that act, usurpation consists of the person or the entity having lawful authority to exercise that power, surrendering it or acquiescing in the exercise of that power by the usurper.

PRIOR SUCCESS FOR THE REMEDY

The history of usurpation is not new. You are, again, miseducated in your schools to think that Magna Carta established a lot of new rights; that some people got together at Runnymede and twisted John's arm and got him to create a lot of new rights. If you look at the Magna Carta, you can see something that is very significant. Several of the chapters end with the words, "as it was in the time of King Henry, our grandfather." This would be found in Coke's edition of the document. If a right is being recognized, "as it was in the time of King Henry, our grandfather," it can't very well be new. The repeated use of those words shows that what was happening at Runnymede was the same thing that was happening later in the Habeas Corpus Act, and later in the Petition of Right. Magna Carta, the Habeas Corpus Act and the over 20 re-enactments of Magna Carta were ALL re-definitions, re-establishing what was already the law, but which had fallen away under the constant encroachments of usurpation.

Only by providing effectual remedy to enforce a right can that right be made secure. For example, prior to the Habeas Corpus Act, British citizens always had a right to Habeas Corpus. The Writ goes back to the Roman Republic. Englishmen always had the "right", but they didn't always have a "remedy". If someone is wrongfully incarcerated, this incarceration was an act that was unlawful. The prisoners had a right to a Writ of Habeas Corpus. But before the enactment of the Habeas Corpus Act there was not too much you could do. It has become the same today in case you hadn't noticed, wherein you would get your Writ and your friend would bring the Writ around to your jailer and say, "Well now, I'd like to have my friend sprung. There's a Writ here that says he's supposed to be let go." And the jailer would say, "Thank you very much," and he would put the Writ on his desk, and you would sit in jail and rot. Now days, the judge just refuses to even hear the defendant in his appeal for the Writ in the first place.

Well, the British Parliament finally took hold of the situation and said they would fix it. The Parliament then enacted what has been called the Habeas Corpus Act. Every State in your country that has adopted the Common Law and with it the Habeas Corpus Act, has these same protections that make the Writ of Habeas Corpus effectual. The Habeas Corpus Act provided that:

> "No subject in this Realm. . shall be taken prisoner into Scotland, Ireland, Jersey, Guernsey, or places beyond the seas (where they do not have the full benefit and protection of the Common Law); but that all such imprisonments shall be illegal; that the person who shall dare to commit another contrary to this Law shall be disabled from bearing any office, shall incur the penalty of a pracmunire, and be incapable of receiving the King's pardon: And the party suffering shall have his private action also against the person committing, and all his aiders, advisors and abettors; and shall recover treble costs, besides his damages, which no jury shall assess at less than five hundred pounds." (Blackstone's Commentaries 137, 138)

You will note that I simply outlay these things; I have no need to tell you that you have NO JUSTICE SYSTEM ANY LONGER. You do not usually act by Common Law and all rights are cast aside as so much chaff in the wind. This is, however, an example of "remedy". An effectual remedy was provided -- a Legislative Remedy to enforce the right of the

person, and no jailer, no officeholder, no citizen would dare to jeopardize himself by depriving a person of his right to Habeas Corpus. That was because there was an effectual remedy created by the re-enactment and re-definition of the Law.

Just because the remedy is not used properly does not mean that it is no longer in effect.

APPLICATION

To re-establish your Constitution, **you need to apply this type of** solution to the problem that is before you. You have not only the opportunity to do this, you have the *obligation* and responsibility to do it. The necessity for citizens taking some action is pointed out in a recent minority opinion by a now deceased Justice of the Supreme Court. The case, *Reynolds v. Sims (377 US 533),* is a reapportionment case. It happens that this case deals with a subject that is only one of many that perplex you when you concern yourselves with how far you have gotten *away* from the Constitution. But that opinion, written by a minority of one, is very revealing. It starts by observing that in the six cases that were consolidated for determination, none of the parties, none of the six States Attorneys General, none of the Amici Curiae (friends of the Court), and none of the eight other Justices considered this one question: Do we have any authority to decide this matter? The Justice who was writing this minority opinion looked at the history of the Constitution, looked at the intent of those who framed and of those who adopted it, and came to the unmistakable conclusion that the Supreme Court had no such authority. This is what any Court needs to do, and has to do, if it is to avoid overstepping its bounds; examine whether it has authority to make a decision or does not.

If ignorance is so widespread that the question of jurisdiction was not briefed in any of the material before the Court, and none of the other Justices would observe it, what sort of reflection is this on the character and the competence of the Bar? Well, I guess that question is really not up for response or we would move no further. It is very difficult for those who have been spared the humiliation of a law school education to appreciate the fact that you have a group in your country who purport to be expert in these matters, and who actually are not. That one little paragraph in *Reynolds v. Sims*, showing that the question of jurisdiction was overlooked, demonstrates that your legal profession cannot be counted upon to get you out of this legal morass but, in fact, will entangle you hopelessly into decay through assumptions. You must depend upon something else. That something else is your CONSTITUTION and YOUR COMMON SENSE, AND ACCEPT NOTHING LESSER.

First of all you need to convince your State Legislators that they are not subalterns, or lackeys, and get them to lose that inferiority complex. It is through your STATE LEGISLATURE ALONE that the State may act in its highest sovereign capacity in dealing with usurpation.

Secondly, you need to organize, in order to persevere and get the job done.

If you were to study the history of Coke's efforts in the British Parliament in getting through the Petition of Right (which reaffirmed Magna Carta after it had become subverted by centralist usurpation), you would find that it wasn't any easy going. Coke got it through his House of Commons all right, but when the Petition was sent up to the House of Lords, their Lordships were disinclined to run the risk of offending His Majesty. This was in a day when British subjects were physically flopping on their faces in the Royal Presence. The House of Lords sent it back to the House of Commons, but the House of Commons persevered and pushed it through the House of Lords.

Then the King used a circumlocution in purporting to enact it into law, which wasn't quite right and wouldn't do the job. So the Commons said, "No, that won't do, it's got to have the right language. It's got be correct." The King saw that in spite of everything he could do they were adamant and would have it no other way. So he gave in, and that is how you got the Petition of Right.

Wouldn't it appear in good old "free" America that certainly your State Legislators, with the Constitution to support them, can be expected to assert themselves as principals to the Constitution Compact in dealing with an errant agent?

STATE ACTION

There is already developed a plan for the use of State Legislators to deal with the so-called Treaty adopting the United Nation's Charter.

The so-called Treaty is, in fact, not a Treaty at all. It is not a use of the Treaty-making power because the Senate and the President had no authority in any way to delegate any authority whatever to some other agency. A special agent is very restricted in what he may do. If you hire someone to sing at your wedding, that is a special commission. If the singer is to discharge that commission, he has to sing. It doesn't make any difference if he says, "I'll have this fellow over here sing because he sings better"--you might be very happy with him but the legal obligation is that the original contractee must do the singing.

Similarly, the President and the Senate have no authority to delegate any power that was delegated by the States to any Federal agency. The President and Senate, likewise, have no authority to impinge in any way upon any right of any State.

For this reason, the first step of the plan of State actions *calls for inquiring into the claimed authority for adopting the U.N. Treaty.* Further, it is a plan

that can be applied in almost every instance in all differing cases.

Dharma, allow us a rest please for the subject is indeed lengthy. Thank you.

Hatonn to stand-by.

8/8/90 HATONN

CLAIMED AUTHORITY

First, an inquiry must be made into the claimed authority for adopting the U.N. Treaty. It is a plan that you can then apply in many different cases. The so called U.N. Treaty is, as might be described, the first olive or onion out of the bottle. There are many encroachments, but the plan for dealing with any encroachment is unmistakable. You need to look at the draft Statutes in the back of the book, VICTORY DENIED, and you will find that many of the passages in the enforcement Statute are taken, precisely and inclusive of punctuation, right out of the Habeas Corpus Act.

"Good writers imitate" and "Great writers utilize another's great material." Thusly, if greatness in those draft Statutes exists, it is because they were taken from very great sources.

Statutory redress to cure usurpation has proven itself effective many times in your past. That remedy will prove itself effective again, if you can get a State legislature anywhere to realize its responsibility and to discharge that responsibility. You have a state that is efforting to accomplish this end--Wisconsin.

Those of you who support the Wisconsin Legislative and Research Committee, Inc. are most certainly on the correct path, because it is going to be *State Action* that restores your Constitution, if it is ever to be restored. It is this Committee, and other such committees formed throughout the country, which have gone the farthermost toward implementing a plan of action that will put the usurpers on the defensive.

Isn't it fun to contemplate the change in a Washington Bureaucrat who is trying to muscle around some citizen in a State that has enacted a Statute enforcing the Constitution? The Bureaucrat's position is changed from having authority given to him by the inaction of the State to the position of being a felon, who is not only subject to arrest and imprisonment, but is also subject to the wrath of any individual citizen who is injured by his pretensions!

A good game to play is to look around at "Gun Control". Perhaps you are familiar with the so-called Gun Control Act--Public Law 90-618. I shall recite an example as told by one in Nevada. Those of you who would be accustomed to go out into the desert prospecting, hunting, etc., with a gun strapped to the steering column of your pick-up truck in case you need to kill a snake--if you wander over into Utah, or into Idaho, you are all right under that Public Law 90-618. But, when you turn around to come home and cross that state line--a felony has been committed, or so they say. In the present posture of the law where the State has not acted to clarify the law and make it definite, and to enforce it, you are bound as every other local and state officeholder is bound, by the difference that arises from the failure of the State to act. The inference is that they are ratifying it by inaction. This applies even though the State Legislators are completely oblivious to the fact that they have an obligation. It doesn't make any difference why they have not acted, the mere fact that they have not acted prevents any citizen from presuming to speak for the State. It is the State that has to speak.

If your state has not acted, and a Federal agent comes into your office and announces, "I'd like to have some help. I want you to get me some help in arresting a man, John Doe, who is holed up out here in a line shack, and I want to arrest him." You would certainly say to the agent, "Why?" He'd reply, "I want to arrest him for violating Public Law 90-618." As much as you might be convinced, and as correct as you might be that this is a violation of the Second Amendment, and that your state (in this case, Nevada), if it knew what was going on, would not stand for it one minute (the individual Legislators would be shocked to hear that this was going on); even though you are convinced of this, you are obligated to go get him some help. He is trying to arrest a felon (who is a felon not by the authority of Public Law 90-618, because there was none) but by the authority of Nevada which has ***failed*** to repudiate it. You must go to help him. But if Nevada tears a page out of history, the Habeas Corpus Act, and applies that remedy to a situation where the agencies in Washington have exceeded their authority and makes definite what the law is and provides remedies, then let us suppose the same thing happens.

This Federal Agent comes into your office, you probably already know who he is, and you probably even know what he is there for but you will still ask him: "Why do you want me to help, or get you some help, in arresting John Doe?" The reason for that question is to ***get him to give you an answer, and that answer of course will be that he wants to enforce a provision of Public Law 90-618.*** Surely enough, if that is his answer, after the Nevada Legislature had done as the Habeas Corpus Act has done, clarified the law and made it a felony for anyone to try to enforce the provisions of the so-called Public Law 90-618, and so you say to the Federal agent, "I want you to meet a friend of mine across the street. He is Sheriff of this county and he has got a room waiting for you, and there are bars on the windows where you can have lots of privacy and protection." You see, the situation is completely reversed. Instead of being coerced into helping with usurpation, you are liberated to act in support of the Constitution. That is the difference between State Action to enforce the Constitution and no State action.

This, I might add, is exactly the same set of predicaments in which you find yourselves regarding God. The deliberate refusal to make a choice or act is the choice which speaks for itself. To not choose is to have already chosen, in actuality.

"*Enactment*" is just what the fight was all about with the King on the Petition of Right. He didn't want to put the words on Coke's Bill that said "so be it ***enacted.***" Anybody who has had any experience in a legislative chamber knows that the characteristic way of getting rid of a Bill is to strike out the enacting clause. If you strike out the enacting clause, the Legislature might just as well not pass it. And you couldn't care less whether they ever pass it, because it is a mere expression of opinion. It is not the Act of the Legislature.

You need to all get copies of the Wisconsin Legislative and Research Committee, Inc. program for the answer to your Constitutional dilemma is found in that program. (P.O. Box 45 Brookfield, WI. 53045)

If you are to allow your heritage to be buried in the graves of your forefathers, and if you are to have foisted upon you something other than that very distinguished and admirable heritage, it is your fault.

Aristotle observed long, long ago that, "The form of a republic is soon lost when those men are put in power who do not love the present establishment."

YOUTH EXPOSURE

If your youth are not ever exposed to the history of your country, if they are not exposed to the principles on which your country was based, they can't be expected to love what they cannot know. Further, if you do not inform yourselves as elders how can they ever know? They can experience the personal freedom that you still have to some slight degree; but they can't know their own heritage or what "real freedom" actually can be if they are never exposed to it.

The question of use of your heritage is something that you might pause a while to examine. Consider a college campus; you can probably go onto many campuses and easily procure, either in cheap paperback editions, or free--stuffed into your hand for nothing--the writings of Mao Tse-Tung, Das Kapital, and other such similar material. If a thousand young minds are exposed to that rot, without antidote, a certain number of them are going to fall for it, just on the law of percentages.

Compare the accessibility on your college campuses of this particular kind of rubbish, which is easily available, with a little pamphlet called: "SOCKDOLAGER! A Tale of Davy Crockett -- In which the old Tennessee bear hunter meets up with the Constitution of the United States." This is a tale being told frequently now days by ones such as Virginia Meves, David Horton and others of involved parties.

David Crockett, when stumping for re-election, was going through his District when he saw a man plowing on the side of a hill. He paced his horse so as to meet up with him at the fence when he turned to make another pass with the plow. He started to introduce himself, but the man was rather curt and interrupted saying, "Oh, yes, I know you are Colonel Crockett. I made the mistake of voting for you the last time: that's an error I will not repeat." Well--that was a "sockdolager", and Davy inquired what the reason was for the man's displeasure. The man said: "You cast an unconstitutional vote in the last session of the Congress." This was another sockdolager. Davy said something like, "I did no such thing: if I did, I wish I may be shot," which was rather a curiously prophetic statement for the later martyr of the famed Alamo. The man explained: "You remember that bill for the relief of the victims of the Georgetown fire?" Davy said, "Why yes, I remember that, I voted in support of that." Of course the man knew that he had done so because in those days the newspapers were a sort of Digest of what went on in Congress and not just hog-slop. They carried a little synopsis of what the proceedings had been for that week. Davy had made the mistake of being among those who were so proud of their vote that when a few opponents of the measure asked for the Yeas and Nays, even though they were not enough in number to cause a division of the House and a recording of the vote, some of the proponents joined with it because they were so proud they wanted to have it recorded. Davy was very forceful in his support for this measure. He said, "My land, that was a very small sum. Those people were destitute, they were burned out of their homes, many of them with nothing but the clothes they were standing up in. Who could possibly criticize the use of so small a sum as $20,000 for so worthy a cause by so great and wealthy a nation?"

But the farmer said, "Colonel Crockett, you will look in vain for any authority to appropriate one dime for charity. If you can appropriate $20,000 for this charitable purpose you can appropriate $20,000,000." (and in those days $20,000,000 was a ***lot*** of money). He observed: "You gentlemen in the Congress can use as much of your own funds as you see fit for charitable purposes, but you can't use any public funds because it is beyond the scope of your commissions." The farmer had said he considered Colonel Crockett to be a thoroughly honest man but that either he lacked intelligence to understand the Constitution or the character to be bound by that understanding -- and Davy ended up agreeing with him that he must have been correct.

Davy saw that he had made a serious blunder, and he also did a little reflecting. He said that: "If this man goes to talking, I am a 'gone fawn skin'." It was his terminology but it is apparent what he meant. Well, Davy was no slouch: he said to the man (and this is important, friends), "I

might as well own up, you have got me. I will tell you what I will do. I am making a tour through the District and I will speak to every group and to every individual who will stop and listen, and I will tell each group about our conversation about my previous vote in the Congress and that it was wrong, and why it was wrong. You put up a barbecue in a week from Saturday and when I come back I will pay for it and will acknowledge my error." The farmer, one Horatio Bunce, was somewhat of a sage in the area, and from his reply you can clearly see why. He said, "Well, having you acknowledge the error will do more good than beating you for it. We are poor folk here but we have food and we will provide the barbecue, and look forward to seeing you a week from Saturday."

A week from Saturday rolled around, Davy returned, and in that remote frontier community about 1,000 men had gathered. What 'voters' organizations they must have had and you might take lessons. Davy did as he had indicated he would do -- he gave a speech and described it as the best speech he had ever made. He got the speech from one of his constituents--so all is not changed so rapidly. He was a great speaker on that occasion, and when he concluded he said, "You will have a few words now from Horatio Bunce, your neighbor." Mr. Bunce got up and said: "You have heard what Colonel Crockett has said. I am satisfied he will do as he has promised." And Davy went back to Washington.

Another bill came up, this time for the relief of a widow of a distinguished Naval Officer. It was for $10,000, and the usual speeches were being given in its support. There was no opposition being offered, the Congressmen were giving their speeches more as an opportunity to exercise their eloquence rather than for any type of contest. They were saying such things as the United States really owed this widow the amount of the bill because of the distinguished services of her late husband, even though he had been in the employ of the Government until shortly before his death. It seemed apparent that the bill was going to go through, and it was about to be put to a vote when Davy got up. He said: "Everybody within the sound of my voice knows that we have no authority to appropriate any public funds for this purpose. It has been said that we owe this sum. Has it ever been audited? Has ever a bill been submitted in support of it? The Government was not in arrears to the Naval Officer while he was alive; I do not see how it could incur an obligation after his death." Everybody knew that it was not a debt, Davy observed--it was charity. He was not unmindful, he told his colleagues, of the predicament of the widow, but he observed that if the United States special agencies for limited purpose, owed this widow this sum, they owed every other widow of the War of 1812 more than they could pay because they owed exactly the same amount. Even the amount of the bill was not sufficient to discharge that debt.

Davy offered his colleagues a proposition: "I am probably the poorest man in this House." There were men there who were accustomed to spend on a single afternoon party, the amount of the bill if it would accomplish their purpose. But Davy was telling them: "I will put up a week of my salary for this purpose to help the widow; and if others will do the same who are supporting the bill, it will amount to more than the amount of the bill. Not only will we accomplish this object of relieving the distress of the widow, but we will avoid foreswearing our oaths by misapplying, misappropriating, public funds to a purpose that is not authorized." The bill was put to a vote and instead of passing without opposition, it was soundly defeated.

Do you think the Constitution has changed since those days? Do you think Congress and your President have Constitutional Authority to send your money off to other nations? Oh, little ones of the lie, pay attention!

The following day a man came storming into Davy's room where he was sitting at his desk writing out addresses on copies of the Congressional Record which carried the proceedings of the previous day which included Davy's speech. The man said, "Whatever possessed you, Crockett, to give that speech against the widow's bill? It was going through!" Davy said, "Sit down and cool yourself. I will be with you as soon as I can." He continued addressing the stack of Congressional Records on his desk. When he had finished, he rolled back in his chair and said: "You asked me a question--whatever possessed me to make that speech--and in answer to that question there is a considerable tale to which you will have to listen." He told the man of his experience in meeting with Horatio Bunce. The man who heard the tale from Davy Crockett was so impressed with it that he is the one who has preserved the account for your use today.

What is the point of all this long dissertation? You have the best heritage in the world but, in this war in which you are shooting artillery shells, if you don't shoot the shells you are going to lose the war. SO, SHOOT! or you might as well capitulate now.

If you make use of your heritage and accomplish the program, that is already underway and then move on to your own individual States--do you see what a difference you can make?

Get a copy of that blessed document called the Constitution and study it--memorize it until every line is seared into your mind. You will find that you are doing a service to yourselves, yes, but oh, dear brothers, look what you will be doing for posterity, who look to you to preserve for them what has been forwarded to you.

You can get copies of the Constitution at minimal cost from Liberty Press, 300 Independence Ave., SE,

Washington, D.C. 20003 and you can obtain copies of "SOCKDOLAGER" from the OREGON LEGISLATIVE AND RESEARCH COMMITTEE, INC., Mrs. Button, State Coordinator, who offset prints them personally in her home. P.O. Box 45, Brookfield, Wisconsin. 53045--(10 for $4.00). Don't be "thrown" by Oregon vs. Wisconsin--one is truly not important to the other in ordering the booklets.

I also give accolades to David Horton for his superb work. He is the Chairman of the Executive Council of the Defenders of the American Constitution and was the District Attorney of Lander County in Battle Mountain, Nevada. 1967-75, He is the President of the PACE Foundation (Foundation for Patriotism, Americanism, Citizenship and Education), and was the Commander of the American Legion, Department of Nevada, 1975-76.

If the above is a "great" writing, perhaps it is because you still have "great" spokesmen upon your placement!?! May you be given to hear the truth of it within thine breast that we might reverse that which is coming upon you. May God always be kept at thine side and within that you might be shown the way. So be it.

Hatonn to clear, please.

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RAPE OF THE CONSTITUTION; DEATH OF FREEDOM RRPP-VOL. II
by Gyeorgos Ceres Hatonn

As you journey through this passage, this may well be the most important single Journal you will ever read. It is of physical importance and impacts your soul growth tremendously, that which you do in this cycle of experience. This book is not pleasant--it was not written for entertainment; you are on the edge of the abyss in your nation and the "anti-Christ", of which you have waited, is upon you. Rarely are things as you expect or at first perceive for it is the way of the enemy of Godness.

You ask and again ask, "What can I do?" Herein we tell you that which you can do. The time for letting "someone else" do of your work is finished--you will stand forth and participate in the journey of God or you will be passed by. Your Constitutional rights as written by the Founding Fathers are being replaced by the New Constitution which is already in operation without your realization of same.

You have a right and obligation to know that which is in store for you at the hands of the conspirators for The New World Order, and further obligation as a citizen, to act. You have been people of the lie far too long, my friends, and it has all but cost you every vestige of freedom. What you do now can change your world. Do nothing, and you had better increase your prayer time, for it is serious indeed. The projected prophecies are at your door and it is time you recognize your enemy!

THE LATEST PHOENIX JOURNAL

THE NAKED PHOENIX HOW, WHO, WHY, WHERE, WHAT AND WHEN THE BIRD WAS PLUCKED A GUIDE TO DO-IT-YOURSELF FEATHER GROWING
by Gyeorgos Ceres Hatonn

The subject of this Journal is the Federal Reserve System and the Federal Reserve banks. This is the one most important deception and subterfuge ever foisted upon the world. It actually is only the conduit through which the Conspirators have perfected their "PLAN". The Journal would be ten times this length if we unfolded details but while we would be unfolding you would be consumed. Let us please take the information, confirm it if you will, and allow us to move into action.

Let us quote Congressman Louis T. McFadden in a speach before Congress June 10, **1932**:

> Mr. Chairman, we have in this country one of the most corrupt institutions the world has ever known. I refer to the Federal Reserve Board and the Federal Reserve banks. The Federal Reserve Board, a government

board, has cheated the Government of the United States and the people of the United States out of enough money to pay the national debt. The depredations and the iniquities of the Federal Reserve Board and the Federal Reserve banks acting together have cost this country enough money to pay the national debt several times over. This evil institution has impoverished and ruined the people of the United States; has bankrupted itself, and has practically bankrupted our government. It has done this through the defects of the law under which it operates, through the maladministration of that law by the Federal Reserve Board, and through the corrupt practices of the moneyed vultures who control it.

Some people think the Federal Reserve banks are United States Government institutions. They are not government institutions. They are private credit monopolies which prey upon the people of the United States for the benefit of themselves and their foreign swindlers; and rich and predatory money lenders. In that dark crew of financial pirates there are those who would cut a man's throat to get a dollar out of his pocket; there are those who send money into states to buy votes to control our legislation; and there are those who maintain an international propaganda for the purpose of deceiving us and of wheedling us into the granting of new concessions which will permit them to cover up their past misdeeds and set again in motion their gigantic train of crime.

Yes, there are things you can do to take action and we have laid them forth. Will it be easy? NO! You will need to start at "home" in the community and unify and get rid of the thieves and conspirators which you continually send back to be wardens of your prison and robbers of your property. They, too, are vulnerable to the nuclear bombs and confiscation--they just have forgotten as much. Your Senator is as physically mortal as are you and will die as quickly and suffer as greatly from the collapse which is coming. Preparation? You have all but waited too long, but you still have time, while the elite vie for position to see who will outdo who and gain the ultimate control--the messages, unfortunately, of the prophecies tell you who that will be and those ones will bring devastation of physical nature--not just glean all property and wealth.

In for a hard time? Yes! But also a wondrous time of unity, brotherhood and freedom from boredom and degradation as fed to you by the silver spoons of the puppet masters.

Which will it be, citizens of World Earth? Freedom or enslavement? The choice is yours, for God so loves this world that he again sends his Hosts and his being to show you the way! Who will see and hear?

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The achiever has ever been characterized by boldness. Without exception, the men who do great things are tremendously positive in their nature. If they decide that they ought to do a thing, they unreservedly take it for granted that they can do it.

How many a day has been dampened and darkened by an angry or careless word?

To learn and never be filled is wisdom; to teach and never be weary is love.

Opportunity merely knocks. Temptation kicks the door in.

The three things most difficult for us to observe are: To keep a secret, to forget an injury and to make good use of our leisure time.

The most flammable kind of wood in the world is a chip on the shoulder.

No one is small who does a small job in a great way.

Of all the things you wear to work, the most important is humility.

A new law now requires that government checks dated October 1, 1989, and later are cashed within one year of their issue or they will be invalid. The public now holds about six million uncashed goverment checks worth more than $2.5 billion that are more than a year old. The checks range in value from two cents for a 1945 income tax refund to an $8,606 compensation check dated April 9. 1954.