

Danbury, Connecticut September 16, 2017

American People,

I ask, what has become of our beloved constitution? That sacrosanct document that is suppose to be the cornerstone of the Temple of liberty? It is safe to say, other Americans are asking themselves the same question. The social contract the people agreed upon has gone through such a metamorphosis to the point of degradation where the central government has bestowed upon itself unlimited and undefined powers over us. This open letter will attempt to reasonably prove that the U.S. Constitution, as a protector of our rights and liberties, is a dead letter.

What is a constitution? I've heard it been said its a contract between the government and the people. In truth, its a social contract between the people themselves, exercising their sovereignty, to establish a government for society. In such a case, the majority binds the minority to the contract. All power rests with the people. The people loan or delegate some of their powers to the government for the benefit of society as a whole. History and experience has taught that there is an inherent tendency in all governments to turn into a tyranny. Therefore, the people only loan a limited amount of power to the government. A good constitution is written in express terms, in language that doesn't admit of evasions, subterfuges, or implication; and is capable of being understood by a person with average intelligence.

The United States Constitution is pregnant with the seeds of its own destruction. Its flaw, in certain respects, is that it is written in general language, making it obscure and ambiguous. This allows for unintended harmful interpretations of the powers the people delegated to the government. Through these endless elastic interpretations, the government allows itself to acquire

powers it was not intended to have, as this writer will try to show in this open letter.

It is an axiom, that those who give may take away. It is the people that give power, and can take it back. They are the masters who give it, and of whom their servants hold it. There is also the doctrine that powers not given up are retained. The United States Constitution stood this doctrine on its head, meaning it instead allows for all power to be given up which is not expressly reserved. This truth is borne out by the fact of the restrictive clauses in Article one, Section nine. Why restrict Congress with negations if they had no power except that which was given to them? Doesn't this prove that if these restrictions were not inserted, Congress could have performed what they prohibit? The only logical conclusion is that Congress can do everything they are not expressly forbidden to do. The federal judiciary peddles the lie that the U.S. Government is one of very limited powers, when just the opposite is true, as will be shown herein.

One may ask himself, why did the people, represented by delegates at the State ratifying conventions, approve of such a heinous constitution? The answer - they were lied to. For instance, at the Virginia convention, men like Patrick Henry, James Monroe, George Mason, and George Nicholas objected to giving the power of direct taxation because it was so oppressive. The pro constitution men agreed that direct taxation is exceedingly oppressive, but direct taxes would be used sparingly. James Madison said: "Direct taxes will only be resorted to for great purposes. What has brought on other nations those immense debts, under the pressure of which many of them labor? Not the expenses of their government, but war. . . I say that it is necessary to establish funds for extra ordinary exigencies, and give this power to the general government." In other words, direct taxes would

only be used in times of war. Francis Corbin said: "No danger was to be apprehended from the power of direct taxation, since there was every reason to believe it would be very seldom used." Well, the income tax is a direct tax, and the people are oppressed by it every single day.

In reality, the U.S. Constitution grants the power to levy taxes as oppressive and intolerable, to the amount of all our property. There is no limits or restraints on the power of direct taxation—none! Think about this, your earnings or income are not yours, the central government has a superior claim to them. The central government allows you to keep some of your earnings, not because it's your right, but because the central government has the unchecked power to decide how much of your earnings you may keep for your needs. Yet, the gibber jabber goes on in songs, anthems, legends and stories, as the people imagine themselves in possession of a mythical freedom that is in no way actual.

When Congress' police power was challenged as too extensive in the ratifying debates, the people were lied to again. Edmund Randolph (first attorney general of the United States) said: "They [Congress] have not cognizance [jurisdiction] over any other crimes, except piracies, felonies committed on the high seas, and offenses against the laws of nations." And George Nicholas said: "Congress have power to define and punish piracies and felonies committed on the high seas; and offenses against the law of nations: But they cannot define or prescribe the punishment of any other crime whatever, without violating the constitution." We know now that Congress' police power is without limit, as I will show my reader.

I could go on highlighting other lies and misrepresentations used to deceive the people into given too much power to their servant government, but I believe my reader gets the point. Though there were many other irregularities surrounding the ratifying conventions, I want to highlight one in particular. If you read the sanctioned report of the

Massachusetts's ratifying debates, you'll see a resolve to investigate corruption within the convention. The Boston Gazette and Country Journal had published articles claiming that men from a neighboring state have brought "Large sums of money" contributed by the wealthy to bribe those who oppose the adoption of the new Constitution. This coincides with Patrick Henry's assertion that certain delegates were bribed in Virginia. It was ordered to direct the printers of these articles to appear before the convention for inquiry. But nothing is mentioned in the report about the outcome of this investigation. The convention ratified the Constitution by a vote of 186 to 168. Out of 354 votes, only a ten vote swing would have changed the outcome. On another note, Virginia ratified it by a vote of 88 to 80.

We are conditioned from a very young age to revere the United States Constitution; and are taught that it established a limited government with defined powers. When one reads the constitution, you ask yourself, how is the government getting all these powers that are not enumerated? The answer is something called: argumentive constructive implied power. This simply means from an enumerated power, the government argues for an interpretation that some other power can be inferred. The "necessary and proper" clause of Article one, Section eight, clause eighteen, has simply become the "plausible" clause. The restriction of absolute necessity on implication has been no match for the machinations and intrigues of those determined to advance government power. Such implication

Let me give my reader some examples of the unlimited nature of the central government. But before I do, I must state, that the central government was indeed, intended to be one of limited and defined powers, but over time, has become tyrannically unlimited, as George Mason, Patrick Henry and others of the founding generation said it would.

In a case known as Carter v Carter Coal Co., 298 US 238 (1936),

under Congress' power to regulate commerce the government attempted to establish minimum wages, maximum hours of labor, the right of collective bargaining and conditions of employment for coal miners. The Supreme Court found the power of Congress under the commerce clause is limited to matters directly affecting interstate or foreign commerce, and does not extend to matters the effect of which, whatever its extent, is indirect. It stated that commerce is equivalent to: intercourse for the purpose of trade. And that mining (or manufacturing) brings the subject matter (product) of commerce into existence. Commerce simply disposes of it. Production is not commerce; but a step in preparation for commerce. The Court struck down the law as unconstitutional. The Court gave a caveat: If the commerce clause was construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by sufferance of the federal government. In other words, the federal government would be of unlimited power if the commerce clause was interpreted in the way Congress intended. The Court described the limit on the commerce clause as follows: The federal regulatory power in matters relating to interstate commerce ceases when commercial intercourse ends; and, correlatively, the power does not attach until interstate commercial intercourse begins.

In 1977, The Supreme Court, in a case known as Scarborough v U.S., 431 US 563, made the reach of the commerce clause unlimited. The issue in this case is whether proof that a possessed firearm previously traveled in interstate commerce is sufficient to satisfy the statutorily required link between possession of a firearm by a convicted felon and commerce. The Court ruled it was. Stated differently, if an object has at one time in its existence crossed a State line, then Congress has the authority to regulate or punish activities

associated with this object. All Congress has to do is put this commerce component in the statute and its jurisdiction over the subject is foregone.

The commerce clause has become so unlimited in its reach that laws made under its guise have nothing to do with commerce at all, like the felon-in-possession law. The Supreme Court is in the enemy's hands, and will continue to encourage the Congress and Executive to persist in its belief the commerce clause has no limits. The enemy's central government continues to accumulate State police powers under the pretense of regulating commerce.

As the above has just shown, over time, the Supreme Court went from restricting the limits of Congress' jurisdiction to opening the flood gates, so Congress' jurisdiction is omnipotent. The Supreme Court is part of the government, therefore it has an interest in cases that the government is a party. During the ratifying conventions, patriots like Judge Robert Yates realized this when he said: The judicial power of the United States will lean strongly in favor of the general government and will give such an explanation to the constitution, as will favor an extension of its power and jurisdiction. Again, the U.S. Constitution is the problem. If it were written more explicitly, these unconstitutional explanations for power grabs detrimental to liberty could not be sustained.

This next example is so blatant of the constitution's failure to be impenetrable to usurpations, it cannot be denied. In the original draft of the constitution contained a clause giving Congress power "to borrow money and emit bills on the credit of the United States." After some debate it was agreed to strike out the words "and emit bills on the credit of the United States," forever "shut[ing] and bar[ring] the door against paper money," as Oliver Ellsworth (later to become chief justice of the Supreme Court) explained.

With the evils of paper money fresh in their minds, the Constitutional Convention gave Congress the power to "coin" money, not print money, at Article one, Section eight, clause five. And the convention restricted the States from emitting bills of credit and making nothing but gold and silver coin a tender in payment of debts, at Article one, Section ten, clause one.

When the government borrows money it issues a paper I.O.U., called by various names: note, bill, bond, etc., depending on the type of repayment. These I.O.U.s can volutarily be negotiated, i.e. change hands, knowing they can always be used to offset a government tax, giving them some degree of acceptability. As these I.O.U.s are negotiated they always lose value or depreciate. When two private individuals do a transaction, agreeing on its value, they rightfully expect to be paid in this value, which holds true in coin. No one wants to, lets say, make a 20 dollar value transaction and get paid in government I.O.U.s that depict 20 dollars on their face, but in reality have depreciated to 12 dollars. To force government I.O.U.s on the people the government must pass what is called a legal tender law. Something the constitution supposedly shut and barred the door against. In 1834, Senator Thomas Hart Benton proposed a legal tender law. After debating, the Congress admitted they had no authority to make a legal tender law. See Cong. Debates June 21, 1834, pp. 4650, 4652 and 4653.

In 1870, in a case known as Hepburn v Ferriswold, 8 Wall 603, the Supreme Court, in a five to three vote, held legal tender laws to be unconstitutional. This case involved a creditor being paid in U.S. Treasury notes, that had been made a legal tender by an Act of Congress of Feb. 25, 1862, that had depreciated. The creditor rightfully did not want to take a loss by being paid back with something less in value. After this case was decided, the last of the term, Justice Errier retired.

And an Act of Congress went into effect, raising the number of justices on the Supreme Court from eight to nine. This occurred in December 1869. That reprobate, President Grant, appointed two justices to the Supreme Court in 1870, Joseph P. Bradley and William Strong — both yes men, for paper money. One Justice replaced the retiring Justice Errier and the other was to implement the law expanding the number of justices.

The following year, 1871, at the government's behest, the Supreme Court took up the question of the legality of legal tender in two cases combined, known as Knox v Lee and Parker v Davis. In an unprecedented decision in the history of the Supreme Court, the legal tender law held to be unconstitutional the year before was now declared constitutional in a five to four vote. In the majority's opinion they claimed that the government had the right to self-preservation during the Civil War. And that in this emergency it was necessary to make the government's I.O.U.s legal tender so it could finance the war. Oh! how the plea of necessity can be taken to justify just about anything. But it is an axiom that the constitution is the same in war as in peace.

The majority went on to deviously explain that the grant of powers to borrow money and coin money and regulate the value thereof, combined, conveyed a general power over the currency giving Congress the authority to make a legal tender law, even though it cannot be found specified in the words of the U.S. Constitution, nor is it clearly and directly traceable to one of the specified powers. Plausible implication is all it takes to find unspecified powers in the constitution. The U.S. Constitution is as good at limiting government power as a sieve is at holding water. Congress' discreti

discretion is the only limit on its power to make laws.

Contemplate, that no person or body of people have the rightful authority to force someone to accept payment in a tender they do not find agreeable. If the people do not have this power, how can they delegate it to the government? One may retort that the people are absolute sovereign and therefore have the power to force someone to accept a tender that someone doesn't want. My rebuttle would be: your correct, the people are absolutely sovereign and hold all the power, but the inherent difference between right and wrong does not fluctuate. It is immutable. By making irredeemable paper promises legal tender, forcing people to accept them in payment, taking away the voluntary nature of doing business is simply wrong. And if its not wrong, then nothing is wrong. And if the people in their sovereign capacity did approve of legal tender, then they would be tyrannical and the right to revolution would be justified.

For those who believe the U.S. Constitution does still contain the grant of power to Congress to declare a legal tender, consider the following. The U.S. Constitution Article One, Section ten, Clause one says "No State shall make anything but gold and silver coin a tender in payment of debts." It is without question a fact that every state makes irredeemable bills of credit, i.e. Federal Reserve Notes, the tender for state property and income taxes. This, in no possible manner, can be said to conform to the constitution; and anyone that says otherwise has forfeited their claim to rationality. Furthermore, even though the constitution mandates gold and silver coin as the only tender States can use, Congress made using gold and silver coins as currency illegal by the law 18 U.S.C. § 486. The truth is, and it is a depressing truth, the U.S. Constitution is without force and effect, and

Americans are living under a runaway government with unlimited power resting directly on force.

I'll submit one last example to drive home the point for my reader. The Fourth Amendment mandates that a warrant is required to search and seize people or property. Simple enough - right? In a case known as Arizona v Evans, 514 US 1 (1995) involved a routine traffic stop, where a check of the police computer indicated an outstanding warrant for the driver. The driver was arrested. A subsequent search of the driver's vehicle revealed a bag of marijuana. The driver was charged with drug possession. It was later discovered that the outstanding warrant had been squashed prior to the arrest. But due to a clerical error the invalid warrant was never deleted from the warrant database. The driver sought suppression of the drugs as the fruit of an unlawful arrest. This is known as the "exclusionary rule." Evidence is excluded if obtained in violation of the Fourth Amendment. The Supreme Court held that the invalid warrant did not require the suppression of the drugs because the "good faith" exception to the rule applied. The cops relied in good faith that the warrant was valid. The exclusionary rule is meant to punish and deter police misconduct, not legislators, judges, clerks and police employees, who in this case erred in maintaining records.

It must be obvious to anyone, who at least considers the question, that the Fourth Amendment was penetrated like a page of wet newspaper by the Supreme Court. The very foundation of the driver's arrest had crumbled to disintegration. It's a self-evident truth that you cannot build on a crumbling foundation. Whereby it clearly follows, that to hold the police' actions lawful because some other government agent erred, is utterly destitute of sound reasoning.

Especially when an unalienable right is at stake. The Fourth Amendment strikes at the entire government in general, not just the police. The Supreme Court has punched so many holes in the Fourth Amendment it resembles the bull's eye of a paper target that has been blasted by a shotgun.

I could go on delineating more examples of how the U.S. Constitution has failed in its proclaimed purpose. The examples I have given here are sufficiently explicit to satisfy a candid mind of the fact the U.S. Constitution is a weak defender of liberty. It is no wonder that William McClay, one of the first Senators from Pennsylvania, noted in his journal how Senators were boasting how the Constitution implied everything, and how the people have been cheated into establishing a form of government over them which none of them expected, right under their nose.

There is a saying: He to whom I lend my sword to Kill my enemy, may with it Kill me. Likewise, people who delegate power to government in order to protect liberty, may have that power turned on them to enslave them. Right now, the central government looms ominously over the States and People eagerly looking for dissent to crush. As the U.S. Government stands, I despise and abhor it. It is the enemy of all freedom loving Americans.

I have spent this paper proving the unlimited nature of the government's powers under the U.S. Constitution. When a government comes to this point in its life, liberty has been sentenced to death, as reason and experience too fatally prove this truth in all instances. Expect the central government to continue tightening the noose around Liberty's neck. The U.S. Government has become a menace to the American People. Americans are currently living under the fear of

their government. The lie has become the pillar of it. Anyone with eyes to see, can see with piercing clarity how the government, especially their courts, have used hocus pocus to whittle the U.S. Constitution down to a parchment no better than toilet paper.

I ask forthrightly, why do you content yourself with the mere shadow of your rights and liberty, when the substance has been taken away? We are going to be made sorry eventually, for our refusal to save ourselves while it is still yet in our power. Men who will not fight for liberty, will lose their liberty. Where is your courage, has it melted away like butter under the summer sun? Let them call us rebels. I welcome it. I feel no concern from it. I rather suffer the misery of a revolution, than make a whore of my conscience by maintaining allegiance to a government bent on enslaving me.

Freedom is a dangerous concept. Freedom is an action word. Freedom is a choice, and you are defined by your choices. The true source of our sufferings, has been our timidity and indecisiveness. We have been afraid to think and act like free men. I recognize that the government spreads intimidation, but brave men do not let their principles and judgment give way to their fears. Our resistance depends on the strength of our beliefs in the minds of those who are willing to fight. Our vigor does not necessarily lie in our numbers, but in our unity. An army of mercenary soldiers of a despotic government is no match, even for a much smaller, army of men fighting for their freedom. The lion never inquires into the number of wildebeest. Moreover, the righteousness of our cause must always underlie our strength.

Like I said, fear is the foundation of this government, and

lies are its pillars. As it stands right now, there is no peace, but instead an armed truce between the government and the People. We will not sit down quietly and be oppressed. The People will show their fangs. The central government continues its oppression at its peril.

The issue of our enslavement must be forced. We the People vividly understand that enslavement comes via a series of quasi-legal actions over an extended period of time. No such one action constituting a total loss of freedom, but the sum of which transforms the freemen into slaves. We will not fail, like other nations, to clearly draw a line, to which when crossed, lawful active resistance will start.

We have suffered too long under oppressive direct taxation and legal tender with only mumblings and grumbings. We have suffered one blow after another to our rights with extreme patience and temperance. We have suffered long enough, and will not take anymore! Throwing our eyes about the country, we find another recent blow by the government at our Second Amendment rights. In a case known as Kolbe v Hogan out of the Fourth Circuit, the unlimited central government has pretty much annulled our right to keep and bear arms. As well as several other cases about the country bending themselves to the same effect. If the Supreme Court does not reverse and correct these latest attacks on the Peoples' sovereignty, the line has been crossed, and it will not be a crime to defend with offensive force against the central government, it will be an honorable duty. Patriots from around the country will heed the battle cry of Lady Liberty, and swarm down upon our oppressors like angry Killer bees.

Take Good Care

Rudy and Erin,

Here is my latest political letter. You can call it: An unlimited Government.
Must be resisted.

I want to get this in the mail tonight, so that is all I have time for.

Dail

P.S.

Please email it to the usual patriots.

Thanks