UNDERSTANDING FEDERAL TYRANNY

MATT ERICKSON

Understanding Federal Tyranny

Patriot
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By:

Matt Erickson

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Understanding Federal Tyranny

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Understanding Federal Tyranny is available in a printed paperback book or electronically in .docx, .pdf, .epub, and .mobi formats.

Understanding Federal Tyranny is also available in a five-part mp4 video and mp3 audio book series. Many thanks to Frank Caprio of www.ConstitutionalCappuccino.com for narrating the videos and audio-books.

Please note that the five book chapters mirror the five-part video and audio series (Chapter 1 of the book covers the same information as Part 1 of the video/audio).

Preface

Chapters 1 & 2 of *Understanding Federal Tyranny* provide a general overview of expansive federal powers, giving readers the perspective needed to understand how members of Congress and federal officials are able to bypass their normal constitutional constraints with impunity.

After Chapter 1 outlines the problem to explain how government servants became our political masters, Chapter 2 completes the discussion and outlines the available cures. Chapters 3, 4 and 5 seek to prove true the two-part overview, as they look to a specific case (that of "following the money") to show it follows the outline detailed in Chapters 1 and 2, precisely.

Chapter 3 examines the Coinage Act of 1792, showing that the enumerated power "To coin Money" (and regulate its value) means to strike coins of gold and silver at specific purities and defined weights that are given proportional monetary values.

Chapter 4 investigates how corrupt federal officials and members of Congress were able to deviate from that proper foundation for our Standard of Value (where nothing could be lawful money other than gold or silver coin). Chapter 4 tears into the 1871 supreme Court opinion and shows that *The Legal Tender Cases* court upheld paper currencies as legal tender only under the power for the District Seat via Article I, Section 8, Clause 17 of the U.S. Constitution.

Chapter 5 concludes the examination into money, exposing President Franklin D. Roosevelt's 1933 gold "confiscation" order to be likewise but a masterpiece of deception. Citizens were effectively robbed of their property without Due Process or Just Compensation, by falsely believing that the executive order applied to them.

The goal of *Understanding Federal Tyranny* is to expose to the bright light of day the constitutional loophole used by self-serving politicians to be able to exercise inherent discretion to feather their own nests and reward their benefactors.

Chapter 1: Overview—The Problem

When discussing the abuse of federal authority, it is appropriate to start with the U.S. Constitution—the supreme Law of the Land—which sets the standard for allowable federal action.

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

Article. I.

However, if Patriots are being perfectly honest, they'd have to readily admit that the U.S. Constitution seemingly has little effect in the day-to-day affairs back in the District of Columbia.

Which begs the question, "How can that be?"

After all, members of Congress and supreme Court judges shall all be *bound* by oath or affirmation to "support" this Constitution.

And, American Presidents—no matter their political affiliation and irrespective of the personal views—shall also be *bound* by oath or affirmation to "preserve, protect and defend" the Constitution of the United States and to "faithfully execute" the Office of President.

So, how is it possible for members of Congress and federal officials (who are all legally bound by their oaths) to bypass their constitutional restraints with impunity?

Before examining that critical question of how federal authority may be abused without consequence, it is important to understand how federal powers are properly obtained in the first place. After all, the concept of the federal government having inherent powers for the Union is antithetical to the founding principles of these United States.

Thankfully, since the delegation of authority—*from* the States of the Union *to* the Congress and U.S. Government—are formal transfers of governing power, they may be carefully studied to learn the principles involved.

To discover how Congress and the U.S. Government obtained their enumerated powers, one must travel back in time to the origin of our country and then examine the later delegations of federal authorities by the States that make up the Union.

With their Declaration of Independence in 1776, the American colonies of Great Britain declared their independence, not only from Great Britain, but also essentially from one another, declaring themselves to be "Free and Independent States."

In CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

the Free and Independent States

To be “Free and Independent States,” after all, hardly meant that the States became fully dependent upon one another.

In other words, throwing off the British Crown did not by itself create a new form of (collective) government. The governing power over the colonies that was once exercised by Great Britain devolved upon the only governing bodies existing at the time of independence, the individual States of the Union.

While the States were already sending their respective delegates to meet and work together in the Second Continental Congress, this body of men essentially met as ambassadors without any coercive power over any State, nor any formal structure whatsoever.

The Independence Pie Chart shown below graphically represents all governing authority being exercised wholly within each State by the respective State itself, within its geographic borders. Each State retained all governing authority within its borders, at this time.

Independence Pie Chart:

The Articles of Confederation and Perpetual Union were drafted and proposed in 1777, but they were not formally ratified by all 13 States until 1781. With the Revolutionary War officially ending in 1783, one may see that the bulk of the war effort was fought without any strict federal structure whatsoever.

Since it was only in operation for a short time, this book won't much discuss the Articles of Confederation, to concentrate instead on the U.S. Constitution which is today relevant.

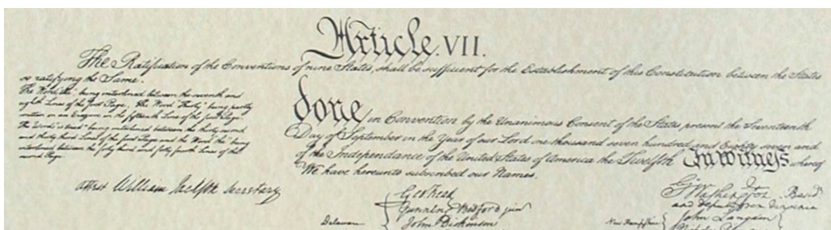
In 1787, following the lead of the Virginia legislature, Congress under the Articles of Confederation called for a convention to meet in Philadelphia to revise the Articles to meet the exigencies of the Union, especially dealing with interstate trade and the difficult problem of settling past-due war debts.

The convention immediately began to draft instead a charter for a new form of government.

In September of 1787, the delegates sent their completed draft to the States for ratification.

The last article in the Constitution—Article VII—details the ratification process for establishing the Constitution, reading;

> "The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same."



Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

attest William Jackson Secretary

After the *ninth* State ratified the U.S. Constitution in 1788, the time was set for the ratifying States to meet in Congress the following spring and begin government under the Constitution.

The directive in Article VII specifying that ratification by *nine* States would be sufficient for the establishment of the Constitution "between the States so ratifying the same" acknowledged that no State would come under the Constitution *except by its own accord*.

When March of 1789 arrived, two more States of the Union had ratified the Constitution. Thus, on Wednesday, March 4, 1789, the 11 States that had already ratified the U.S. Constitution began to meet in New York City.

It wasn't until November of 1789 that North Carolina as the 12th State ratified the U.S. Constitution. Thereafter, North Carolina chose its U.S. Senators and U.S. Representatives who could thereafter assemble in Congress.

In May of 1790, Rhode Island, as the last of the original 13 States, ratified the U.S. Constitution and thereafter likewise joined in the measures of the Union under the Constitution.

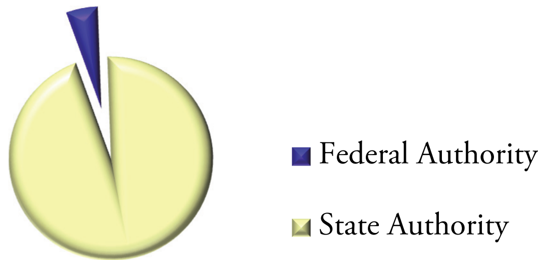
If either of these latter States had refused to ratify the Constitution, they would have remained separate nation-States, continuing to exercise all governing powers within their State.

No State of the Union came under the U.S. Constitution until the State individually and voluntarily ratified it.

Thus, with ratification of the U.S. Constitution by each State, the governing power which was once exercised only by each State within its borders *was now **divided** into State and federal authority*.

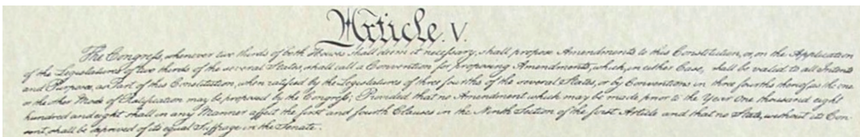
Whereas the Independence Pie Chart showed all governing power being exercised only within each State, with ratification of the U.S. Constitution, the Ratification Pie Chart below shows a division of governing power, thereafter being divided into State and federal authorities (by the express terms of the Constitution [with all undelegated power being reserved to the respective States]).

Ratification Pie Chart:



The thin dark wedge of federal authority shown in the Ratification Pie Chart portrays the extent of governing power that is delineated in the U.S. Constitution (for Congress and U.S. Government officials). The large, light-colored remainder piece of governing authority represents all the reserved powers held in each State within its respective geographic borders.

Of course, the U.S. Constitution as originally ratified contains Article V which delineates an amendment process that provides the States a mechanism for formally changing the allowed powers of Congress and the U.S. Government.



Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

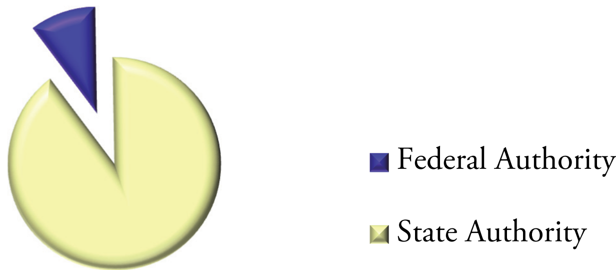
The pertinent words of Article V read;

> "Amendments…shall be valid…as part of this Constitution, when ratified by…three fourths of the several States."

Thus, once a proposed amendment is ratified by three-fourths of the then-existing States, formal changes in the division of federal and State authority takes place. Amendments may restrict or enlarge federal powers. Ratification of three-fourths of the States bind all of the States (except that no State may be deprived of its equal suffrage in the Senate without its own consent).

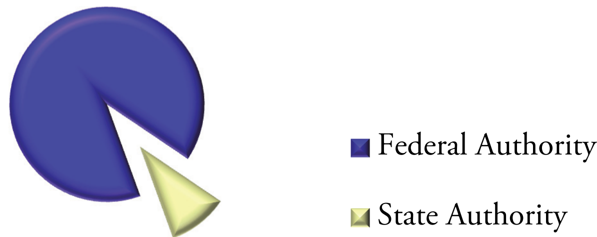
The Amended Pie Chart shown below represents all 27 amendments that have been ratified since the Constitution was first established, slightly enlarging the federal powers over the original determination under Article VII.

Amended Pie Chart:



However, if one were to ask the average American on the street to graphically represent the approximate division of power as readily witnessed today in the day-to-day affairs of government, it would probably look something like what is being labelled here as the Feral Pie Chart, shown below.

Feral Pie Chart:



The Feral Pie Chart appears to be Pac-Man gone crazy, all but devouring up what was once within the sole domain of the several States of the Union, far beyond the normal federal powers changed only by amendment.

Thus, one begins to note disturbing evidence of a separation of allowable actions from underlying authority. Since the United States guarantee to every State of the Union a Republican Form of Government—representative government of delegated powers (under Article IV, Section 4 of the Constitution)—it is important to examine evidence that separates action from underlying principles.

Indeed, *representative government* must conform to delegated authority—the idea that those who are delegated federal powers may determine the extent of their own powers mocks that delegation, and is rightfully called tyranny and absolute despotism.

Recall, that with ratification of the Constitution under the Article VII ratification process, the several States of the Union voluntarily gave to their new agent—the Congress and the U.S. Government—distinct and enumerated powers. Those powers relate to matters such as foreign relations, especially involving trade, war and peace. Also, a few things for ensuring uniformity amongst the States have been delegated, such as the coinage of money and the free flow of goods across State borders.

Of course, the Article V amendment process allows the States of the Union to give more power to the federal government, or pull it back through formal changes of authority.

The safeguard against the improper exercise of delegated federal powers is that every member of Congress and high federal official must swear an oath to support the Constitution and hold it inviolable.

Which leads Patriots asserting the existence of a Feral Pie Chart to ask questions such as "Does the binding oath no longer bind?" and "Have government servants become our political masters?"

That such questions may be asked today with complete sincerity is a tragic commentary of how far these United States of America have strayed from their original course.

To understand better the improper diversion of federal action away from fundamental principles, it is helpful to name our current condition, for articulating what we face allows it to be confronted more fully.

The Patriot Corps refers to this odd phenomenon (of members of Congress and federal officials bypassing their constitutional constraints, with impunity) as *The Peculiar Conundrum*.

The idea that members of Congress and federal officials may ignore their solemn oaths to support the Constitution must be examined, for government servants may not ever become our political masters in this Union.

It is therefore time to examine critically The Peculiar Conundrum, the odd phenomenon of members of Congress and federal officials seemingly able to do as they please without effective restraint.

To cut directly to the chase, it is appropriate to boldly declare that the Feral Pie Chart doesn't exist beyond that of a mistaken and soon-to-be-discredited theory.

The Feral Pie Chart is but a figment of the collective imagination of an uninformed populace, every bit as dangerous as is a mirage in a desert, to a parched Patriot thirsting for life-sustaining water.

There is no more dangerous action than to concede our Republic of enumerated powers to the unlimited action of those persons who must become legally bound to support the Constitution. If we foolishly allow federal servants to exercise inherent discretion for the Union, we surrender limited government and accept in its place absolute tyranny.

To accept that supreme Court judges may interpret the Constitution's words into meanings their opposite, is, in effect (if not in deed), to bow as slaves before judges as our political masters.[1]

Our safety will never be found in the careful picking of like-minded political masters; instead, we must leave no stone unturned to search for their source of absolute authority and expose the fraud.

To oppose absolute rule, we must first boldly assert that neither judges, the President, nor members of Congress, may ever exercise inherent discretion throughout the Union.

But, if inherent discretion for the Union doesn't exist—if the Feral Pie Chart doesn't exist—then what exists in its place? After all, something is obviously going on far beyond that which meets the eye.

To discover what exists in the place of absolute federal discretion exercised throughout the Union, it is important to realize that absolute federal discretion is actually allowed *in a very special place*.

To learn about *that place* where inherent federal discretion is allowed, it is necessary to examine the highly unusual exception to all the normal rules of the U.S. Constitution—Article I, Section 8, Clause 17—the clause for the District Seat of the U.S. Government.

The first portion of Clause 17 reads;

> "Congress shall have Power…To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States…"

By these words, one discovers Clause 17 allows for the creation of a District to be used as the exclusive federal seat—what in time became the District of Columbia.

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1. The U.S. Constitution refers to the "supreme Court" as an adjective and noun (rather than as a proper noun (both words capitalized). As such, so will this author. Also, Article III, Section 1 also refers to "judges" rather than "justices" (even as Art. I, Sect. 4, Cl. 6 refers to the "Chief Justice" as such).

In 1791, Maryland ceded (gave up) to Congress and the U.S. Government, a specific parcel of land lying North and East of the Potomac River. With its cession of land, Maryland also transferred all of its power to govern that parcel to Congress.

Virginia also ceded land South and West of the Potomac River.[2] Combined, the two parcels of land could not exceed ten miles square (100 square miles).

Congress accepted these parcels for use as the District to be constituted as the Seat of Government of the United States.

The District of Columbia was built up and became the permanent federal seat in the year 1800. Thereafter, Congress would exercise the exclusive ability to govern that land without interference from any State of the Union. Neither Maryland, nor Virginia—nor any other State—has any continued authority in or over those parcels. Thereafter, *only* members of Congress and federal officials could exercise any governing powers there.[3]

Before examining the words of Clause 17 more fully, it is proper to cover the remainder of the clause.

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2. It should be noted that the land ceded by Virginia (Alexandria) was *retroceded* back to Virginia in 1846, as unneeded.

Since only the former lands of Maryland today form the District Seat, for the remainder of the book, only Maryland will be discussed, but realize that Virginia was included in this discussion until 1846.

3. If Congress delegates local powers in D.C. over to city council and mayor—or other form of local government—that delegation always remains strictly subservient to the Constitution's vesting of the (ultimate) authority in Congress.

Therefore, any local delegation of authority is wholly irrelevant for all purposes herein discussed.

Article I, Section 8, Clause 17 further details that Congress shall also have Power:

> "to exercise *like Authority* over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings."

Thus, besides the federal district seat, other exclusive legislative lands include many (but not all) military forts, magazines, arsenals, dock-yards and other needful buildings.

"Other needful buildings" refers most often to U.S. Post Offices, court houses and lighthouses.

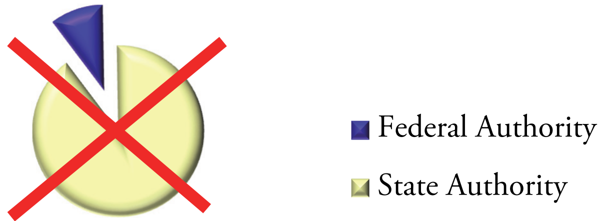
Although Patriots routinely ignore Clause 17 because they mistakenly think it applies only to the District Seat and other exclusive legislation properties, a proper examination into Clause 17 shows just how important is this clause in understanding the extreme federal powers exercised today across the nation and the globe.

The first matter to realize regarding Article I, Section 8, Clause 17 is that members of Congress are expressly given the enumerated power to exercise *exclusive* legislation in the District of Columbia and "like Authority" over the other exclusive federal properties.

Not only is this power to be used *exclusively* by Congress in the occasional case, but "in all Cases whatsoever." In every instance, members of Congress determine all allowable governing actions here.

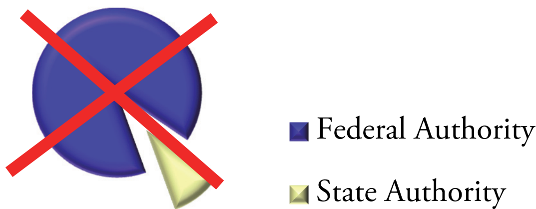
Looking back to the Amended Pie Chart, one may see the *division* of governing power between federal and State authority for exercise throughout the Union.

Since the Amended Pie Chart shows a division of governing authority into federal and State authority, obviously the Amended Pie Chart is NOT the appropriate pie chart to represent the "exclusive" legislative jurisdiction of Congress for the District Seat and exclusive federal areas that is to be exercised "in all Cases whatsoever."



Nor was the earlier Ratification Pie Chart applicable, for that matter.

However, even the Feral Pie Chart that many people assume to be the applicable pie chart representing government action today still shows a division of governing power between the federal and State authorities. Therefore, not even the Feral Pie Chart explains the unique situation found in the District of Columbia.

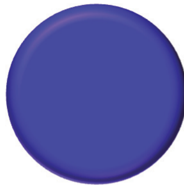


As discussed earlier, the Feral Pie Chart which represents inherent government discretion exercised throughout the Union does not exist, anywhere! The Feral Pie Chart finds no source of authority by the U.S. Constitution—no part of the Constitution suggests that members of Congress and federal officials may define the extent of their own powers for the Union, and increase their authority of their own accord by any means whatsoever.

Since no pie chart already discussed explains the unusual situation described by the strict words of Clause 17, a new pie chart must be created to represent the type of authority exercised in D.C.

The Exclusive Legislation Pie Chart shown below properly represents all governing power being exercised in the District of Columbia only by Congress and the U.S. Government, without any intervention by any State of the Union.

Exclusive Legislation Pie Chart:



Federal Authority

This uniformly-dark pie shows governing power being exercised exclusively by Congress and federal officials, without State intrusion.

Discovering the existence of a new and unique pie chart necessitates that Patriots learn its unusual implications, for it references something far, far greater than the hypothetical but non-existence Feral Pie Chart could ever hope to reach.

To understand the vast reach of the Exclusive Legislation Pie Chart, it is important to examine Clause 17 in greater detail, to learn more about this unique clause.

A careful examination of the phrase—"Congress shall have Power…by Cession of particular States, and the Acceptance of Congress"—shows that the word *particular* stands out as something wholly exceptional in the transfer of power from the States to the Congress and U.S. Government.

Recall that in the Article VII ratification process, it took the action of nine States to establish the Constitution, but only in the States "so ratifying the Same."

Since every State of the Union had to ratify the U.S. Constitution before the Constitution became therein established (before the ratifying State gave up enumerated powers to Congress and the U.S. Government), the Article VII ratification process ultimately describes the individual actions of every State of the Union.

And, under the Article V amendment process, the action of three-fourths of the States bind the whole Union to the new amendment.

In other words, both the Article VII ratification and Article V amendment processes look at the combined actions involving all of the States of the Union, to transfer governing powers from all of the States to the Congress and U.S. Government.

Now, however, under Article I, Patriots discover that even a single State of the Union—a particular State—may give up power to Congress and the U.S. Government all by itself!

This highly unusual and unique transfer of governing authority must be understood, for it references a source and extent of powers far, far different from the remainder of the Constitution.

Under Article I, Section 8, Clause 17—for exclusive federal purposes—one State merely has to offer and once Congress accepts, then the transfer of land and governing power is complete!

Thereafter, only members of Congress and federal officials may exercise governing power therein.[4]

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4. Individual States ceding lands to Congress (except for the District Seat) often reserve to the State the power to serve legal process (court summons, etc.), in forts, magazines, arsenals, dockyards, etc.

This reservation of expressly-named powers does not void the principle stated above (that only members of Congress and federal officials may exercise governing power therein), for it nevertheless still shows that this cession of power is opposite of the normal cession of delegated powers by all the States of the Union, where States reserve all powers they did not expressly give up (in forts and ports, the States only retain the specific powers that they name).

After cession, no longer does any State of the Union exercise any governing power in that ceded parcel—indeed, the only State of the Union that had been able to exercise local powers therein just gave them all up!

While all the States of the Union (by their ratification of the Constitution [which contains Clause 17]) expressly allowed for this unique transfer of power for exclusive federal purposes, the fact of the matter is that the local power to govern D.C. locally comes only from a single, particular State—Maryland (since the land ceded by Virginia for D.C. were retroceded back to that State in 1846).

Since Maryland can no longer locally govern the District Seat, members of Congress are vested with that authority (after all, someone must govern there). Since no State government may any longer pass local laws in D.C. (for the outlawing of willful murder, manslaughter, etc.), members of Congress are vested with this power (even though local laws far exceed normal constitutional constraints).

Patriots interested in limited government must understand this unusual set of circumstances, because it lies at the common root of all federal tyranny witnessed today, as scoundrels exploit this loophole.

To learn about this unique power, it is important to examine the cession of land and governing authority for the District Seat.

As stated earlier, in 1791, the State of Maryland ceded a tract of land for the federal seat.

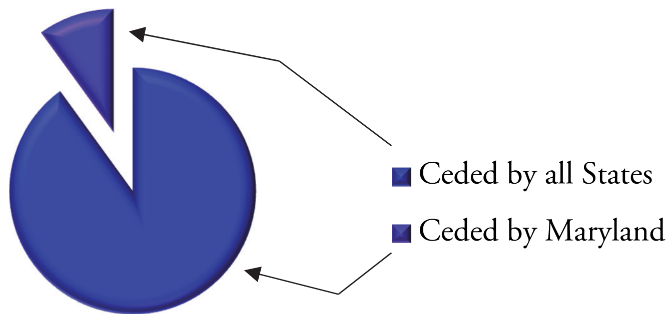
In order for Congress to be able to exercise "exclusive Legislation in all Cases whatsoever" over the District Seat to conform to the express requirements of Article I, Section 8, Clause 17, Maryland had to give up all its powers in this ceded tract of land!

Of course, since Maryland had already ratified the U.S. Constitution (in 1788)—since it had already transferred all the federal powers that are expressly enumerated within the original Constitution—the transfer of governing authority in 1791 had nothing to do with the powers already given up by Maryland in 1788 (that were transferred by earlier ratification of the U.S. Constitution).

Therefore, the U. S. Constitution can tell us nothing more about the local powers Maryland later ceded to Congress in 1791!

Consequently, study of the U.S. Constitution beyond Article I, Section 8, Clause 17 will NOT aid our understanding of the powers Maryland ceded in order for Congress to legislate exclusively in the District Seat.

It is important to break apart the Exclusive Legislation Pie Chart into its *federal* and *local* components, to understand more fully the highly unusual circumstances involved with the transfer of the local governing power by Maryland.



Exploding apart the Exclusive Legislation Pie Chart to show the separate origins of the separately-sourced powers that are now combined in the District, first notice the thin, dark wedge of federal authority that every State of the Union gave to Congress and the U.S. Government by the Article VII ratification and Article V amendment processes.

The large, dark remainder piece of the pie represents the local powers ceded by Maryland in 1791 (which became fully operational in 1800 when the District became the permanent federal seat).

When Maryland ceded its lands for the District Seat, it did not give Congress and the U.S. Government only the specific powers it had exercised under its State Constitution, but instead the ability to govern, going back to a base, sovereign nature (unrestricted governing authority not limited by any compact).

When a new government begins exercising governing authority, the guiding principles of the earlier form of government do not bind the next.

For instance, members of Congress today are not limited by Maryland's State Constitution in D.C. any more than the States are today bound by the former British laws of their colonial era.

Maryland gave up the ability to govern its former tract of land it ceded to Congress for the District Seat. Thereafter, members of Congress and federal officials govern in that locality within new parameters.

Article I, Section 8, Clause 17 of the U.S. Constitution provides those express parameters, explicitly stating that;

> "Congress shall have Power…To exercise exclusive Legislation *in all Cases whatsoever*."

The ability for members of Congress to exercise exclusive legislation *in all cases whatsoever* must be understood, for this unique four-word phrase references unbounded power, power perhaps beyond the comprehension of today's mortal man.

A look to our Declaration of Independence helps today's Patriots to get a peek at this power.

Much of the Declaration is a listing of the numerous "injuries and usurpations" practiced by the King of Great Britain and Parliament against the American colonies.

The specific injuries listed in various paragraphs in the Declaration begin with the phrase "He has…"

The thirteenth of these "He has" paragraphs (which discusses the king giving his "Assent to…Acts of pretended Legislation") is in turn broken up into nine sub-paragraphs that begin with the word "For…"

The last of those nine sub-paragraphs which discusses historical "Acts of pretended Legislation" practiced by Great Britain is worded;

> “For suspending our own Legislatures, and declaring themselves invested with Power to legislate *in all cases whatsoever*.”

Here one sees the same four-word phrase “in all Cases whatsoever” that was mentioned in the U.S. Constitution.

That repetition should strike readers as rather odd, since these words in the Declaration are listing the despicable actions of a tyrant who was trying to reduce the colonists “under absolute Despotism,” while the U.S. Constitution was ratified to establish limited government throughout the land of free people.

South Carolina’s use of this same four-word phrase in its 1776 State Constitution is even more enlightening, where its opening line reads;

> “Whereas the British Parliament, claiming of late years a right to bind the North American colonies by law *in all cases whatsoever*…without the consent and against the will of the colonists.”

Here, in the first South Carolina State Constitution, one sees that this same British claim of being able to “bind” the colonies by law “in all cases whatsoever” extended to binding the colonists “without (their) consent” and even “against (their) will.”

Both of these historical references in the Declaration of Independence and the South Carolina Constitution point to an explicit British assertion—Great Britain’s 1766 “Declaratory Act,” also known as “The American Colonies Act.”

This 1766 Act was enacted on the same day that Great Britain repealed the dreaded Stamp Act of 1765, that had been imposed upon American legal documents, newspapers, magazines and even playing cards.

In response to the Stamp Act, the American colonies banded together through Committees of Correspondence and successfully executed non-importation agreements with one another to refuse to land or buy the British goods shipped to American soil.

Without eventual purchase of shipped goods, wealthy British exporters saw their revenues plummet and complained bitterly to Parliament (even as the American colonists had no representation in British Parliament).

Finally, due to the success of the non-importation agreements, on March 18, 1766, Britain repealed the Stamp Act, but nevertheless on the same day enacted their Declaratory Act, which, in part, read;

> "The King's majesty…had, hath, and of right ought to have, full power and authority to make laws…of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, *in all cases whatsoever."* [5]

Here, one sees the ruthless origin of the despotic four-word phrase, "in all cases whatsoever." This phrase is the claim of absolute dominion over people who may be bound absolutely, not only without their consent, but even against their will.

Understanding the full implications of the British Act, one may realize that the mindset behind the Act was the single cause of our American revolution. The colonists lived with that harsh mindset for a full decade, issuing pleas to a deaf king and Parliament who refused to back away from their stance of absolute power.

Indeed, all of the various injuries and usurpations listed in the Declaration of Independence, broken down to their common denominator, are all but different manifestations of this ultimate power to be able to bind the American colonies by law "in all cases whatsoever" played out over a decade of absolute tyranny.

The look back in history shows the extreme source of power referenced by the phase "in all Cases whatsoever" that Congress may exercise in the District Seat.

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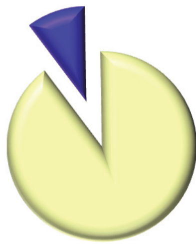
5. http://avalon.law.yale.edu/18th_century/declaratory_act_1766.asp

But, the present day and our future is what really concerns us. How does that power affect those of us who do NOT live and work in the District of Columbia?

Looking at matters from their broadest-possible application is helpful to convey important principles.

A compare and contrast of those principles is therefore helpful to understand the implications of this power today.

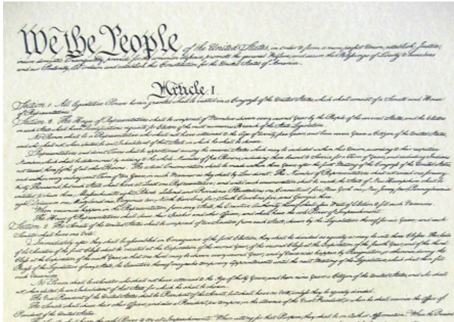
Recall that for the Union of States—throughout all the States of the Union—the small dark wedge of federal authority transferred under the Article VII ratification and Article V amendment processes in the U.S. Constitution delineates the powers allotted to Congress and the U.S. Government in the Amended Pie Chart.



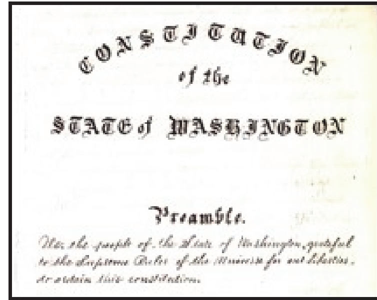
Federal Authority

State Authority

The large, light-colored remainder piece of the government pie is then the amount of power each State exercises within its respective borders, according to that State's respective State Constitution.


We the People

Article I


Constitution of the State of Washington

Preamble.

We, the people of the State of Washington, grateful to the Supreme Ruler of the Universe for our liberties, do ordain this constitution.

Of course, the U.S. Constitution also has a number of express prohibitions against specific State actions (such as that no State shall coin money, emit bills of credit, or make anything but gold and silver coin a tender in payment of debts), so the U.S. Constitution also places several express limits on State authority.

But, as shown herein, the District Seat is different.

In the District of Columbia, members of Congress still have the thin, dark wedge of federal authority ceded by every State of the Union for exercise throughout the States united, *including* the District Seat. Thus, Congress may exercise in the District Seat all those federal powers that the States of the Union gave to members under the Article VII ratification and Article V amendment processes.

However, in the District Seat, members of Congress may also exercise the local, State-like powers in the place of Maryland which had previously exercised them.

Importantly, however, the only clause of any Constitution anywhere which discusses the extent of allowable powers in the District of Columbia is Article I, Section 8, Clause 17 of the U.S. Constitution and it specifically details that members of Congress may exercise exclusive legislation *in all cases whatsoever.*

By these words, Patriots should recognize the unique fount of inherent discretion therein granted that allows members of Congress to do in D.C. as they see fit, despite the remainder of the Constitution. Indeed, the Constitution, as amended, only provides a small list of express prohibitions against Congress.[6]

For example, the First Amendment to the U.S. Constitution, among other things, expressly prohibits Congress from making any law "respecting an establishment of religion." Because this express prohibition is not limited by place, this prohibition also keeps Congress from establishing a State religion in the District Seat.

Other than the few express prohibitions such as those found in the Bill of Rights, however, members of Congress have inherent discretion to do as they see fit in the District Seat (for no State-like Constitution applicable in the District Seat exists, to outline and delineate the powers being therein granted).

Since the U.S. Constitution does not outline any other parameters for the District Seat beyond Clause 17, and since no State-like Constitution exists to bind Congress (or the President or the Courts) in and for the District Seat, government servants may, and must, in the District Seat become political masters.

Imagine a State where its legislature was not bound by any State Constitution—where no State Constitution existed to empower State legislators or State officials with enumerated powers, or limit their action. Just think of all the things which that legislature could and would do if it had no standard set for its allowable action, beyond its own discretion. Well, that is precisely the situation for members of Congress and federal officials in the Government Seat. No local State-like Constitution restricts their actions in this place!

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6. Indeed, the reason so few express prohibitions are needed is that, for the Union, members of Congress and federal officials only have the ability to exercise enumerated powers using necessary and proper means. All other means and ability beyond that delegation are already prohibited them.

Only “States” are guaranteed a Republican Form of Government—Legislative Representation —under Article IV, Section 4 of the Constitution, and the District of Columbia is not a “State.”

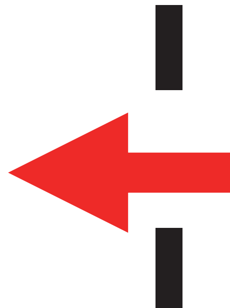
While Legislative Representation is the fundamental building block of our nation, in the District of Columbia, there is none! Only “States” of the Union elect Senators and (voting) Representatives to Congress.

Thus, in the District of Columbia, there is no prohibition keeping members of Congress from “sharing” their legislative responsibilities with the supreme Court, the President, various department heads, or bureaucrats of the alphabet agencies.

Nor is there even any prohibition found in the Constitution keeping members of Congress from sharing their powers for the District Seat with foreign dignitaries, such as with the United Nations! Nothing is here beyond their power, except for the few express prohibitions detailed therein!

Members of Congress and federal officials must make up all the rules for the District of Columbia as they go along, because no one else may or can (except as members decide, within their inherent authority that is nowhere limited beyond a few express prohibitions).

What is occurring with federal tyranny today is this all-encompassing-power for D.C. is somehow “leaking out” of the District of Columbia and spilling into the States through what was meant to be an impenetrable wall separating the District from the Union of States. It is up to us Patriots to discover that “somehow” process, so we may finally shut off the spigot!



The source of unlimited federal action has been found.

Strict construction of the U.S. Constitution expressly details *a special place* were members of Congress are fully empowered to define the extent of their own power—where they may and must make up all their own rules as they go along!

Clearly, Patriots' repeated claims, that members of Congress and federal officials act unconstitutionally, have been tragically mistaken, for one clause of the Constitution does reach to all possible actions (except the precious few that are actually prohibited).

That one clause of the Constitution, strictly construed, allows essentially unlimited action means that all those actions performed under this unique clause cannot be unconstitutional.

Indeed, one clause of the U.S. Constitution, even though it is the highly unusual exception to all the normal rules, almost always provides adequate support for essential any action, except only those precious few that are actually expressly prohibited.

The only thing that remains to discover now is how the scoundrels who have exercised this enumerated power have taken this allowed power far beyond its inherent geographic constraints.

In other words, no longer is it a correct charge to assert that Congress and the U.S. Government may *never* do a particular action, but simply that they cannot do those actions *where they do*.

And, that is a completely different argument, which needs a proper understanding of that means to finally resolve also that dilemma.

Chapter 2 will continue this important look into the abuse of federal authority from a broad perspective, to first learn the Big Idea before getting into the finer details in a specific case to prove true the general overview.

Chapter 2: Overview—The Cure

Recall, from Chapter 1, the look into the highly unusual exception to all the normal rules of the U. S. Constitution—Article I, Section 8, Clause 17.

This clause—allowing for an exclusive legislative district for the government seat—is different from all other clauses, sections and articles of the Constitution.

While all other powers came from the transfer of authority from all the States of the Union under the Article VII ratification or Article V amendment processes, the power actually exercised under Clause 17 came only from the particular State of Maryland.

The study of this source of highly-unique power in Chapter 1 showed that this "exclusive" power for Congress to legislate "in all Cases whatsoever" extended to all matters within members' inherent discretion, except where they were specifically prohibited from acting.

The source of unlimited federal action must be examined further, to understand how this clause may be used *beyond* the District's express geographical limits that may not exceed ten miles square.

Chapter 1 ended with the "leaking" of these omnipotent powers sourced from Maryland *out* of the District of Columbia and *into* the Union, "somehow."

A failure to accurately diagnose this condition sadly led generations of Patriots to falsely believe as true the absurd assertion that supreme Court judges may alter the powers of government by changing the meaning of the Constitution's written words.

Patriots came to this belief not only through their own eyes, but also their ears, as the courts loudly implied that they are the final arbiter of the true meaning of the Constitution.

It is imperative to rebut that false assertion, to refuse that first step of tyranny into the land of Government-By-Inherent-Discretion.

It should be noted that the weak protest that excessive federal actions are "unconstitutional"—because they are said to violate the reserved powers of the States under the Tenth Amendment—isn't anywhere nearly enough (and is most often wrong).

Instead, Patriots interested in extricating tyranny from our land must discover how perceived tyranny is actually *constitutional*—i.e., how actions said to contravene the Constitution *actually find support in one of its clauses*.

No person exercising delegated federal authority who takes an oath or affirmation to "support" or "preserve, protect and defend" the Constitution may act in contravention to its strict commands throughout the Union.

But, that doesn't mean that the same constitutional restrictions necessarily apply throughout every square foot of the Union. And, that point of truth it the small but necessary start in understanding federal tyranny in the Land of the Free and Home of the Brave.

Carrying forward that understanding—that not all lands in the Union are of the same type (that not all lands in the Union have the same governing powers over them), it is important for Patriots to realize that the Tenth Amendment has no validity in the District Seat, that it does not and cannot apply there.

For well over 200 years, Patriots have falsely asserted that members of Congress and federal officials could *never* exercise the reserved powers of the States. And, for that whole time, they have been wrong; absolutely, positively, wrong.

In 1791, Maryland "forever ceded and relinquished to the Congress and Government of the United States" the lands of Columbia, "in full and absolute right and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon."[1]

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1. Congressional Serial Set, Vol. 58: Senate Document No. 28661st Congress, 2nd Session, *Retrocession Act of 1846.*

This cession of governing authority was absolute, to conform to the requirement of Clause 17 which requires Congress to exercise (and be able to exercise) "exclusive" legislative authority "in all Cases whatsoever."

Thus, with Maryland's complete cession of governing power over the parcel of land that would become the District of Columbia to Congress and the U.S. Government, there were no powers the State could thereafter reserve unto itself where the Tenth Amendment could even begin to apply.

In the District of Columbia, members of Congress may do as they see fit, other than a few minor things that the Bill of Rights expressly prohibits.

Indeed, even though *legislative representation* is the fundamental building block of the Union, in the District of Columbia, there is none!

Only *States* elect Representatives and Senators to Congress. And, although the "District" Seat was formed by cessions of particular States, it is not a "State." The District of Columbia does not elect any (voting) legislative member to Congress.

Only the States of the Union elect U.S. Senators and U.S. Representatives to Congress and it is those members of Congress who legislate exclusively in the District Seat in all cases whatsoever.

Thus, District residents are in no better shape than the early colonists—when others over whom the colonists had no influence bound them against their will and without their consent in all cases whatsoever.

But, the real issue is not how 600,000 District residents are affected today, but how the highly-unusual power meant for an infinitesimal area of exceptional land (now, some 44,000 acres out of 2.3 billion acres of land mass) affects the other 308 million Americans scattered throughout all the States of the Union.

Careful students of political history can trace the small invasion of this exceptional power bleeding out of the geographic confines of the District Seat and begin to infect all the States of the Union.

Case-by-precedent-setting-case, the breach in the legal wall meant to contain and separate the District Seat from the Union grew, widening with deft precision which cannot be explained except by expert deception carefully conceived and executed.

Over the last two centuries, scoundrels in government bent on steering American government away from its original course were able to expand a unique power meant for the District Seat instead throughout the Union, for their own express benefit and that of their benefactors.

Self-serving politicians and bureaucrats developed this gray area in the Constitution where the letter of the Constitution countered its spirit, which they could exploit to their distinct advantage due to their opponents' wholesale ignorance of the situation.

Due their solemn oaths to support the Constitution, cunning federal officials and members of Congress who appear to give the written words of the Constitution new meaning cannot ever alter such words for the Union, although they can and do use those same words (found in the Constitution) differently *for the District Seat.*

There is nothing in the U.S. Constitution that prevents government servants from taking the same words found in the Constitution but using them differently for the District Seat!

Members of Congress and judges may use the phrases "necessary and proper", "commerce", "supreme Law of the Land" and "General Welfare" but give them new and opposing meanings only for D.C.

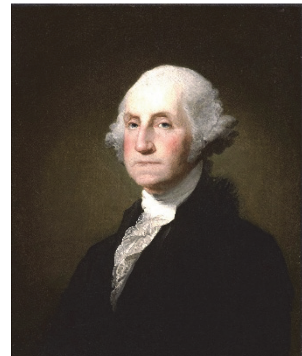
Only in the District Seat are those persons who are delegated enumerated powers empowered to do as they see fit. No government servant may become a political master, *except* in the District where they necessarily rule absolutely and exclusively.

Just how is it that not only well-informed Patriots are ignorant of these actions, but also historians and legal scholars? Indeed, they all falsely-believe that federal officials have the awe-inspiring power to change their own authority by giving new meaning to old words.

The answer may be found by examining the first significant constitutional controversy, where the first claims of "unconstitutional" government behavior were asserted. In 1791, a bill to charter a national bank made its way through Congress and lay on President Washington's desk awaiting his signature to become law.

But, Washington had also been President of the Constitutional Convention of 1787, where the explicit power for Congress to be able to charter corporations was proposed, debated and explicitly voted *out* of being including in the final draft of the Constitution that was ultimately sent to the States for ratification.

However, only two years after the Constitution was established in 1789, a bill lay on Washington's desk in 1791 for chartering a bank.



In conformance with his enumerated power, Washington required his principal officers in three executive departments to write written responses to the proposed banking bill.

Secretary of State Thomas Jefferson and Attorney General Edmund Randolph responded first. They both denied Congress had power to charter corporations, examining all the normal rules of the Constitution which could nominally reach such action and showing how none of them could support the banking bill.

President Washington forwarded those responses to his Secretary of the Treasury, Alexander Hamilton, who was the chief proponent of the banking bill.

Hamilton wrote a lengthy response, largely to help throw off the scent for all those he did not want following his reasoning.

It is noteworthy to mention that before Hamilton responded to support the bank charter, he first *affirmed* "that the power of erecting a corporation is not included in any of the enumerated powers" and he specifically *conceded* "that the power of incorporation is not expressly given to Congress."[2]

In a government of delegated powers exercising only necessary and proper means, it would be difficult to recover from such admissions and yet support enactment of the banking bill.

However, Jefferson and Randolph made it easier for Hamilton to win his argument, for, after showing how none of the normal clauses could provide the allowable means to reach the charter of the bank, both opponents of the banking bill concluded that such an action would be *unconstitutional*— i.e., that *no clause of the Constitution* could support this action.

Thus, to prove them wrong, Hamilton only needed to point to the highly unusual exception of all the normal rules of the Constitution.

Hamilton rose to the challenge, writing:

> "Surely it can never be believed that Congress with exclusive powers of legislation in all cases whatsoever, cannot erect a corporation within the district which shall become the seat of government...And yet there is an unqualified denial of the power to erect corporations *in every case* on the part both of the Secretary of State and of the Attorney General."[3]

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2. www.avalon.law.yale.edu/18th_century/bank-ah.asp
3. *Ibid.*

With these words, Hamilton wrote what no one could deny—that members of Congress have the expressly-delegated power to exercise exclusive legislation "in all Cases whatsoever," a power that easily reaches to the charter of a corporation.

Hamilton continued to discuss the extent of this power, writing;

> "Here then is express power to exercise exclusive legislation in all cases whatsoever over certain places, that is, to do in respect to those places all that any government whatsoever may do; For language does not afford a more complete designation of sovereign power than in those comprehensive terms."[4]

The Secretary of the Treasury detailed that in "certain places," that government may, in "those places," do "all that any government whatsoever may do." Hamilton knew that the extent of governing power "in all cases whatsoever" extended to the most complete designation of sovereign power possible by the written word.

Even though Hamilton admitted that the exclusive power of Congress was actually limited to "those places"—those "certain places"—however, it was not within "those places" where the bank was actually being proposed.

Indeed, the bank of the United States was planned for Philadelphia, the acting capital at the time. Maryland would not even cede lands within its borders for the District Seat for another nine months, and the District of Columbia would not be built and become the permanent federal seat for another nine years.

Undoubtedly, that is why neither Jefferson nor Randolph thought of looking at Article I, Section 8, Clause 17—because the bank wasn't being proposed in the District Seat.

Hamilton wasn't going to be trifled with such small things, however, worrying about actually being empowered to do *what* he wanted, *where* he wanted.

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4. *Ibid.*

The all-important question of how to use a power for D.C. *beyond its borders* remains. To examine that vital point, Patriots need to learn about "allowable means," about the methods Congress may use to implement the enumerated powers.

The U.S. Constitution expressly lists its "allowable means test" of authorized federal powers, in Article I, Section 8, Clause 18, which reads (italics added);

> "The Congress shall have Power…To make all Laws which shall be *necessary and proper* for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

The Constitution's *necessary and proper* means to enumerated ends sets the bar very high for determining allowable federal action. When coupled with the solemn oath to support the Constitution by every member of Congress and high federal official, this one-two punch *should deliver* a knock-out death blow to federal tyranny.

In his 1791 opinion on the constitutionality of the first bank of the United States, Hamilton lists his own *allowable-means-test*, saying;

> "If the end be clearly comprehended within any of the specified powers, and if the measure have an obvious relation to that end, and is not forbidden by any particular provision of the Constitution, it may safely be deemed to come within the compass of the national authority."[5]

It is not vital to examine minutely Hamilton's subjective standard, beyond looking at the obvious set-up for *who* would determine whether an end was "clearly comprehended", whether a measure "have an obvious relation" to the end, and whether something is "forbidden by…the Constitution"—which he ultimately left to the courts.

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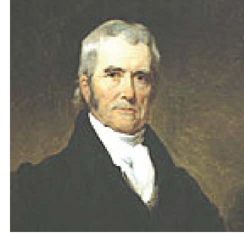
5. *Ibid.*



Given Hamilton's hat-tip to the courts, perhaps it wouldn't be surprising that Chief Justice John Marshall, in the 1803 supreme Court case of *Marbury v. Madison,* makes the first bold claims of *judicial review* (that the courts had the ability to become the final arbiter of the Constitution and its meaning).

Given the importance of this case, a brief review of its history is appropriate. The case stemmed from President John Adams' "midnight" appointment of William Marbury as Justice of the Peace for the District of Columbia just two days before Thomas Jefferson would be sworn in as the third American President.

The Senate consented *en masse* to the nearly 60 circuit court judges and Justices of the Peace to attempt to lock-in federalist philosophy before the (Democratic-) Republicans took over. John Marshall, in his final days as Secretary of State, gave his seal on the commissions for delivery. But, Marbury did not receive his commission before Jefferson took office, who cancelled undelivered commissions.

When Marbury's suit for his commission came before John Marshall who had taken his new seat as Chief Justice of the supreme Court, Marshall adjudicated and ruled on the case he helped set up.

But, the most important factor for understanding the precedent-setting case was that Marbury was to receive his commission for Justice of the Peace, *for the District of Columbia*.

It is absolutely vital to realize that what the court ultimately rules for the District of Columbia is not the same as it may rule for the Union!

The applicable rules in the District of Columbia—any time they are sourced in the authority ceded by only the particular State(s) of Maryland (and, at that time, Virginia)—have nothing to do with the parameters that all the States of the Union gave to Congress and the U.S. Government.

The whole purpose of the District Seat, after all, was to *remove* all influence of the States from the affairs of Congress and the U.S. Government in the federal Seat.

That the States have NO influence in the Government Seat explains all of federal action today which rings true of this scope.

Under the Union, it is the States that are the principals who crafted and established the Constitution. No person delegated federal authority for the Union has a say in the extent of their powers as they swear an oath to support the Constitution.

But, who is to say that the courts should not be the final arbiter of what occurs in D.C., as a check on the unlimited power of Congress?

While Article I, Section 8, Clause 17 would seem to give Congress the final word on what occurs in the District Seat, it is important to realize that it is far more difficult for 435 voting members of the House and 100 Senators to agree on the wide discretion of powers they may exercise in the District Seat, far more difficult than it is for nine court judges to agree.

Of course, easiest is it for the single American President to agree only with himself on how to proceed forward exercising unlimited discretion.

Thus, in a government of unlimited powers, it is not surprising when the Congress ultimately becomes the least-effective of the three branches of government, as the courts and the President surge forward.

With Alexander Hamilton laying out the path for expansive court "interpretation," to amass and concentrate federal power, neither is it surprising that in the 1819 supreme Court case of *McCulloch v. Maryland* (which examined the constitutionality of the second bank of the United States), Chief Justice John Marshall famously writes almost verbatim that which Hamilton wrote (regarding the first bank, in 1791), saying;

> “Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional.”[6]

The standards of Hamilton and Marshall—once the court makes all the subjective determinations necessary—essentially mean;

> “Everything not prohibited is allowed.”

Read properly, both Hamilton and Marshall’s standards are the allowable-means-test *only* for the District Seat, even as both devils implied those standards were meant for the whole Union. Their written opinions—meant to throw Patriots off the scent—keep conservatives, libertarians, and strict-constructionists from understanding what is going on (because once the true condition facing us is properly diagnosed, the ultimate cure can be applied and tyranny ended).

Their clever words inferred that government servants who must provide a solemn oath to support the Constitution may redefine the meanings of words found in the written Constitution.

Which still begs the question, how exactly, did these scoundrels pull off that spectacular and seemingly-impossible feat?

To discover how they successfully turned the Constitution upside-down and inside out, one must examine Article VI, Clause 2, which reads, in its pertinent words, that;

> “This Constitution…shall be the supreme Law of the Land.”

This clause begs the question; Is Article I, Section 8, Clause 17 part of “This Constitution”?

Yes, of course, it is. It is the 17th clause of the eighth section of the first article of the Constitution for the United States of America.

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6. *McCulloch v. Maryland,* 17 U.S. 316 @ 421 (1819).

And, that answer brings up the next portion of Article VI, Clause 2, which declares that “the Laws of the United States which shall be made in Pursuance” of the Constitution also form part of the “supreme Law of the Land.”

Therefore—by the strictest words of the Constitution—even laws enacted in pursuance of Article I, Section 8, Clause 17 also necessarily form part of the supreme Law of the Land!

Thus, “the Judges in every States shall be bound thereby,” anything in the State Constitution or the State laws to the contrary notwithstanding.

The implications of these two clauses of the Constitution (Article I, Section 8, Clause 17 coupled with Article VI, Clause 2)—held to their strictest-possible construction—allow a clever constitutional-bypass-mechanism to be used against the remainder of the Constitution!

Patriots have falsely-accused progressives as “liberally construing” the Constitution, of giving the old words of the Constitution new meaning. However, that is what progressives *want* them to think, to keep Patriots off-track from discovering the actual source of unlimited power.

As one may see, however, progressives actually achieve their success by holding two clauses up to their *strictest*-possible understanding, while ignoring all else.

In a battle between the strictest letter of the Constitution and its spirit, so-called “progressive” court judges have upheld its letter to ignore, bypass and overrule its spirit.

All federal powers expanded beyond the U.S. Constitution follow this same path, for nothing else allows them to use unlimited authority and inherent discretion. No federal servant may become a master throughout the Union; they may only become a political master in the District Seat and exclusive legislative areas used for forts, magazines, arsenals, dockyards and other needful buildings.

Supreme Court judges have no power or ability to alter the meaning of the Constitution's terms meant for the Union, because they must subscribe a solemn oath to support the Constitution.

That mandated oath cannot allow them to change the meanings of any word of the Constitution meant for the Union.

In the words of Disney's Genie (of *Aladdin* fame), though he may well have "phenomenal cosmic power," he has only an "itty-bitty living space." It is no different with American genies of phenomenal cosmic power, their itty-bitty living space does not extend beyond ten-miles-square jurisdiction (except to also reach exclusive legislative jurisdiction forts, magazines, arsenals, dockyards and other needful buildings scattered throughout the Union).

Please realize that the cunning Delilah's of this upside-down world will never voluntarily admit the true source of their own god-like power, for that source, once widely understood, allows everyone else to take appropriate steps to shave that source to its scalp, making god-like genies mere mortals once again.

To those Patriots who blindly assert that D.C.-laws enacted by Congress cannot *bind the nation*—but that they are necessarily limited geographically to the District Seat—examination of an early court case shows that the supreme Court has long held the contrary position, at least until it is directly attacked openly and forcefully.

In 1821, local merchants in Virginia sold D.C.-based lottery tickets in contravention to Virginia law.

The case ended up in the supreme Court. Chief Justice John Marshall, in *Cohens v. Virginia* (referencing Article I, Section 8, Clause 17) wrote;

> "Those who contend that Acts of Congress, made in pursuance of this power, do not, like Acts made in pursuance of other powers, bind the nation, ought to show some safe and clear rule which supports their contention."[7]

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7. *Cohens v. Virginia,* 19 U.S. 264 @ 424 (1821).

Indeed, Marshall ruled nearly 200 years ago that Congressional actions based in Article I, Section 8, Clause 17 can and do indeed *bind the nation*—that the local laws enacted by Congress for D.C. under the power ceded only by Maryland (and, at that time, also Virginia) may indeed be "enforced" throughout the Union.

Marshall wrote that people who asserted the contrary opinion (that D.C.-based laws enacted by Congress are limited to the District Seat) needed to show the "safe and clear rule" in the Constitution which supported their view (that Clause 17 is exempt from Article VI, Clause 2). He said that until someone proved otherwise, however, he was upholding all of the Constitution, including Clause 17, as the supreme Law of the Land, how the words of the Constitution actually read.

Of course, what he legally stated versus what he implied were two different matters.

Strictly speaking, he legally meant that alleged criminals who broke a D.C.-based law and then fled the area could be chased by federal marshals throughout the Union and be brought back to justice without going through any State extradition process.

What Marshall inferred, however, was that people who broke D.C.-based law beyond the district's borders could also be held to that law (which is false, at least if or when fought correctly).

If Americans do not even understand that all of federal action beyond strict construction of the Constitution is simply local D.C.-based law enacted by Congress under the power given them by *one* State (in conformance with the U.S. Constitution but actually empowered apart from it) and then improperly extended beyond the District's borders, they have little or no chance of winning their case.

So, how do Americans correct matters today and get government again steered in the right direction?

A brief look at history helps Patriots discover the appropriate path for clarifying the U.S. Constitution differently than how the court held in one of its opinions.

In the 1793 supreme Court case of *Chisholm v. Georgia*, the supreme Court ruled that the States could be sued in federal court against their will by citizens from other States, in conformance with the court's understanding of the original words of Article III, Section 2, Clause 1 which read;

> "The judicial Power shall extend to… controversies…between a State…and foreign… Citizens or Subjects."

Despite the strict words of Article III which appear to declare the contrary, the States never intended to allow themselves to be sued in federal court by citizens of other States against their will. Thus, the States quickly ratified the 11th Amendment in 1795, which reads;

> "The Judicial power of the United States *shall not be construed* to…extend to any suit…commenced or prosecuted against one of the United States by Citizens of another State…"

Therefore, following the lead of the 11th Amendment which overruled the supreme Court (showing also that the court is NOT the final arbiter of the meaning of the Constitution) and clarified the meaning of the Constitution to mean other than as the Court ruled, the Patriot Corps recommends its "Once and For All" Amendment to "contain" tyranny, to read;

> "No Law enacted under the seventeenth Clause of the eighth Section of the first Article of the Constitution for the United States of America *shall be construed* to be any part of the supreme Law of the Land under the Sixth Article thereof."

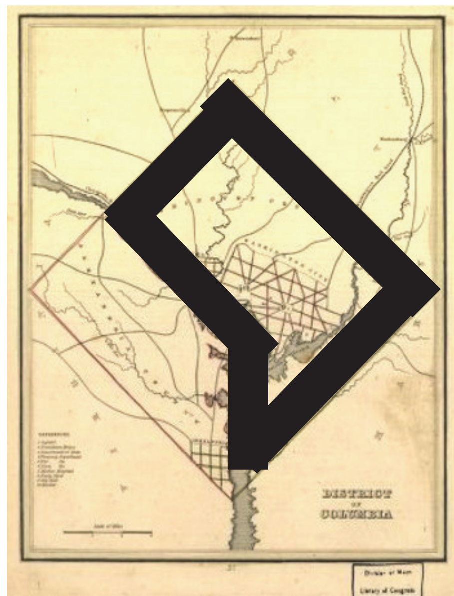
This new amendment would provide the appropriate answer to Marshall's 1821 court opinion, to finally provide the "safe and clear rule" (that doesn't currently exist) to support the contention that Acts of Congress, made in pursuance of Article I, Section 8, Clause 17, *do not bind the nation*, like Acts made in pursuance of all other powers.

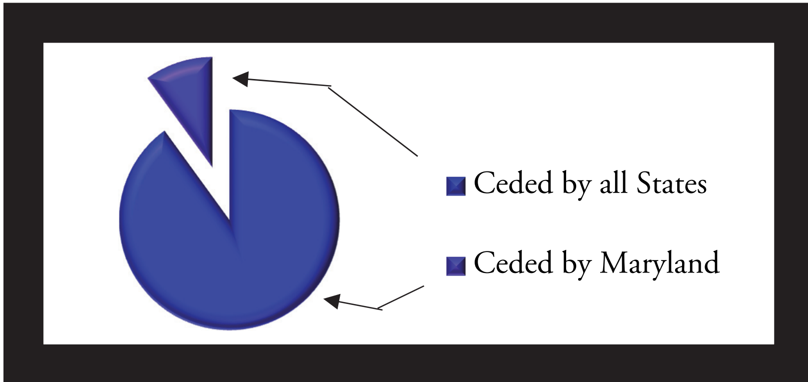
Although no existing words of the Constitution today clearly declare this express principle, that fact does not keep the States from ratifying a new amendment tomorrow to provide finally those clear and needed words, to end the charade of two centuries of tyranny.

While the spirit of the Constitution already provides that meaning to honest and objective judges (to give clear meaning to all of the Constitution), what is "legal" does not necessarily equate with that which is "moral" and "just." What they can get away with does not equate with what is proper.

Although all of the federal bureaucracy would remain under this new amendment even after its ratification, no longer could Clause 17-based laws ever "bind the nation." Just as no local laws of any single State may ever bind the nation, neither should Congress' local laws bind the nation either, just because they were enacted by Congress (with the President's signature or over his veto or inaction).

In effect, the Once and For All Amendment to contain tyranny would erect an impenetrable legal wall around the District Seat, keeping the Exclusive Legislation Pie Chart type of authority from ever again spilling beyond the District's current geographic borders.





An alternative to the amendment to "contain" federal tyranny would be a *stronger-acting* amendment to "repeal" it.

The Patriot Corps calls this powerful alternative its "Happily-Ever-After Amendment" to end tyranny.

It is important to again examine historical precedent, to let history guide our path forward.

The 21st Amendment (the amendment that repealed Prohibition [put in force by the 18th Amendment]), reads;

> "The eighteenth Article of Amendment to the Constitution of the United States *is hereby repealed*..."

The Patriot Corps' Happily-Ever-After Amendment to end tyranny would simply read;

> "The seventeenth Clause of the eighth Section of the first Article of the Constitution for the United States of America *is hereby repealed."* [8]

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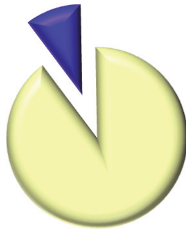
8. Enactment of a new amendment to end tyranny would need to repeal also the 23rd Amendment which provided D.C. residents a voice in presidential elections.

After ratification of the Happily-Ever-After-Amendment, all that would remain would be the Amended Pie Chart—for every square foot of American soil, without exception. In this case, all of federal authority would finally be defined by strict construction of the U.S. Constitution, with State authority being determined by the respective State Constitutions (and as limited by the U.S. Constitution).



■ Federal Authority

■ State Authority

The supposed authority of the courts to "interpret" words of the Constitution opposite their original understanding would evaporate back to the surreal ether of its deceitful origin, never again to exercise its tyranny over even one square foot of American soil.

Indeed, the courts have never given new meaning for the Union to any word found in the Constitution—the alternate meanings only apply to the District of Columbia and exclusive federal areas.

In a government of delegated powers, those who exercise enumerated powers may *never* determine the extent of their powers.

The land of D.C. would either be retroceded back to Maryland (like Alexandria was given back to Virginia in 1846) or D.C. residents could vote on deciding whether to create a new State of the Union—(New Columbia, perhaps)—and enter the Union on equal footing with the original States in all respects whatever.

While the Senate.gov website acknowledges there have been some 11,700 proposed amendments since 1789—even as only 27 have been ratified—that high hurdle cannot dissuade freedom-loving Patriots.

Indeed, neither amendment herein proposed would be ratified until well after the mechanism used to circumvent the bulk of the Constitution was clearly understood by an influential number of individuals.

Thus, Patriots needn't look to that last step of the journey, but only to the first.

And, that first necessary step is to fully inform oneself of this clever constitutional-bypass mechanism and then tell everyone within your sphere of influence about it.

In other words, learn the answer to *The Peculiar Conundrum* and then disseminate that information as far as you are able.

It is that simple. Become informed and then tell everyone who will listen.

Chapter 3: Follow the Money—The Coinage Act of 1792

While the first two chapters explained the general principles that underlie the continuing abuse of federal authority, Chapter 3 begins to prove true the general concept in a specific case, in the case of "following the money."

Chapter 3 examines the enumerated power of Congress "To coin Money" and "regulate" its Value, to learn the meaning of these terms as understood by the members of the Second Congress who enacted the first Coinage Act under the U.S. Constitution.

This chapter will show that the power of Congress to coin lawful tender money refers only to the striking of gold and silver coins, of defined purity and weight, that are given proportional monetary values.

Knowing this information (of where we began) will help us understand the devious process used to get us to the point where we find ourselves today (left only with legal tender paper currencies circulating). After all, no ratified amendment has changed any of the monetary powers of Congress, so the monetary powers today remain the same as those established in 1789.

When discussing the powers of Congress, it is appropriate to start with the U.S. Constitution, the supreme Law of the Land. Article I, Section 8, Clause 5 reads;

> "Congress shall have Power…To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

The first thing to notice is that the "Power…To coin Money" is located within the same clause of the Constitution that empowers Congress "to fix the Standard of Weights and Measures."

This is important, because our money is meant to be our objective Standard of Value.

While the purchasing power of money varies over time and circumstance due to the arbitrary decisions of countless numbers of consumers and suppliers, the *dollar* was intended to transcend discretion and long remain a fixed standard (of 371.25 grains of pure silver).

Just as an *ounce* and *pound* are known, identifiable and objective units established in the measure of mass (casually referred to as weight); just as an *inch* and *foot* are objective units established in the measure of distance; just as the *quart* and *gallon* are objective units established in the measure of liquid volume; and just as the *minute* and *hour* are objective units established in the measure of time; so too are our units of the *dollar*, *dime, cent*, and *mille* objective *monetary Units of Account* established for the measure of *Value*.

In other words, while the dollar's purchasing power would necessarily vary over time and distance, the dollar's definition of a specific amount of pure silver was meant to be indefinitely fixed. Indeed, that is the explicit purpose for "fixing" an unvarying standard, to establish known and knowable benchmarks (in this instance, for measuring *Value*).

The best way to learn the meaning of various clauses of the U.S. Constitution is by examining early legislative Acts enacted during a period of time when members of Congress took seriously their constitutionally-delegated roles and no controversy developed immediately afterwards that challenged the actions implemented.

Chapter examines the power of Congress to coin money by examining the first monetary Act under the U.S. Constitution, the Act of April 2, 1792.

Section 13 is a good place to begin, because it ultimately shows just how serious were those members of Congress to provide the Union with honest and objective money.

Section 13 of the 1792 Act specifies the *purity* standard for silver coins, detailing;

> "That the standard for all silver coins of the United States, shall be 1,485 parts fine to 179 parts alloy; and accordingly that 1,485 parts in 1,664 parts of the entire weight of each of the said coins shall consist of pure silver, and the remaining 179 parts of alloy…wholly of copper."[1]

Patriots unfamiliar with the term "fine," as used in the first part of the section, can see in the second part that it refers to purity of precious metals. In the present case, it refers to the amount of pure silver in the silver coins that are ultimately struck with an alloy to toughen the coin against abrasive wear for better durability. In Section 12, the word "fine" is also used to describe the pure gold in the gold coins.

Silver and especially gold are soft, but adding an *alloy* increases a coin's resistance to abrasion. Large silver coins (alloyed with copper) habitually lose about one percent of their weight in 50 years of circulation; large gold coins, two percent. Smaller coins, with greater surface area relative to their total weight and which often saw greater circulation, typically suffered greater abrasive wear.

Under Section 13, one notices the odd purity Standard of 1,485 parts of pure silver to 179 parts copper, for 1,664 total parts of silver and copper combined.

Compare that peculiar silver standard with the simple standard specified for gold, found in Section 12 of the 1792 Act, which reads;

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1. Act of April 2, 1792, I Stat. 246 @ 249. Section 13.

> "That the standard for gold coins of the United States shall be 11 parts fine to one part alloy; and accordingly that 11 parts in 12 of the entire weight of each of the said coins shall consist of pure gold…"[2]

It should be noted that 11/12^{ths}-fine is the same mathematically as 22/24^{ths}-fine, which is relelvant because gold is often discussed in terms of "carats" (which examines the purity of gold in 1/24th-parts). Thus, 22/24^{ths}-fine is 22-carat gold; 24-carat gold being pure gold. 14-carat is nearly 60% gold, with 18-carat gold being 75% gold.

Examining the *percentile* purity of coins under the 1792 Standard, one sees that under this early standard that silver coins were 89.243% pure; gold 91.666% pure. The purity of gold is often discussed in parts per thousand, so the gold purity in thousandths in this case would be 916.7-fine, often rounded up to 917 fineness.

It should strike listeners as rather odd that while the standard for purity of gold was the simple 11/12^{ths}-fine, silver was 1,485/1,664^{ths}. Indeed, the assayer at the mint complained bitterly about this cumbersome silver standard, given how rudimentary technical processes were at the time. After all, he would be disqualified from office under Section 18 of the Act if annual assays for each separate mass of silver failed to come within 143/144^{ths} (or 99.3%) of that targeted purity, which was tough to attain.

Section 11 of the 1792 Act—the last of the sections which touch upon the topic of purity—sets the stage for understanding the odd standard of silver detailed in Section 13. Section 11 reads;

> "That the proportional value of gold to silver in all coins which shall by law be current as money…shall be as *fifteen to one*, according to quantity in weight, of pure gold or pure silver."[3]

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2. *Ibid.*, Section 12.
3. *Ibid.*, Section 11.

The "proportional value" of pure gold-to-pure silver shall be "fifteen to one" in all coins "current as money."[4]

It is important to delve into that precise but peculiar purity standard for silver coins. But, to do that, it is helpful to cover first the coinage standards for *weight*.

Section 9 of the 1792 Coinage Act specifically lists the precise coinage weight of given coins of particular precious metals at given dollar values.

The *Dollar* was defined in Section 9 as a coin of 371.25 grains of pure silver weighing 416 grains total, the latter number including the weight of the incorporated copper alloy.

For those people unfamiliar with a *grain*, it is the smallest unit typically used for measuring mass (herein casually referred to as "weight"), originally equal to a plump grain of barley.

In the Troy weight classification that is used for weighing precious metals, 24 grains are found in a *pennyweight* and there are 20 pennyweights in a troy ounce. Therefore, there are 480 grains in a troy *ounce,* with 12 troy ounces to the troy *pound*.

With 360 grains equaling three-fourths of a troy ounce, one silver dollar of 371.25 grains had a little more than three-fourths of a troy ounce of pure silver in a coin weighing nearly seven-eighths of a troy ounce, counting its copper alloy.

Section 9 of the 1792 Act also specified the *half-dollar* as a coin with exactly one-half the number of the grains of pure silver as the silver dollar (185.625); the *quarter-dollar* as a coin with exactly one-fourth the number of grains (92.8125); the *dime* as a coin with exactly one-tenth the number of grains (37.125); and the *half-dime,* as a coin with exactly one-twentieth of the number of grains of pure silver as the silver dollar (18.5625).

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4. Money being "current" acknowledges that money can also become no-longer-current or obsolete.

Of course, all these subsidiary coins would also be struck in standard silver at the purity standard of 1,485/1,664ths-fine.

Section 9 likewise specified the *Eagle* as the coin of 247.5 grains of pure gold, weighing a total of 270 grains total with alloy, and *valued* at ten dollars.

Here, one sees that the United States, strictly speaking, were established on a silver coin standard along with a gold coin equivalency, essentially establishing a bi-metallic monetary system.

It was not that the eagle *was* ten dollars, but the *eagle* was *the* "unit" coin of gold *valued* at ten dollars. Coins of gold were defined in terms of *eagles*, but given an equivalent dollar value so a single monetary accounting system (based in dollars) would be available in *two* precious metals (to reach purchases high and low). Copper cents and half-cents were also struck, but, while they had a stated value, they were not a lawful tender.

This distinction of a silver coin standard along with a gold equivalency is important because the 15-to-1 proportional relationship established by law in 1792 would invariably need to be "regulated" or changed at some future point in time, such as in 1834.

After all, no government can forever fix two differing metals at fixed ratios without eventually losing the metal undervalued domestically to foreign jurisdictions which properly valued the metal according to its world-wide values. Either the legal ratios must change with changes in world value or the under-valued metal will soon be depleted domestically.

Besides the ten-dollar gold eagle, also established in 1792 were the *half-eagle* of 123.75 grains of pure gold and valued at five dollars and the *quarter-eagle* of 61.875 grains of pure gold and valued at $2.50.

All coins of gold were precisely valued according to their strictly-proportional weight of pure gold, just as all coins of silver were valued strictly according to their proportional weight of pure silver.

To summarize, although the legal value of coins was determined only according to the weight of pure gold and pure silver, pure gold or silver coins weren't struck, because pure gold or pure silver coins would wear quickly. Coins of both metals were first toughened with alloy to resist abrasion better. The alloy added no value to the coins, even including the silver alloyed with copper for alloying gold.

Sections 13 and 12 of the 1792 Coinage Act discussed the purity standards of the silver and gold coins. Section 11 discussed the relative value between gold and silver purity, while Section 9 discussed the standards for weight.

Having covered the necessary background information, it is now appropriate to delve into the odd purity standard for the silver coins, to show just how seriously members of Congress took their role to establish honest and mathematically-consistent money.

Recall from Section 9 that Congress established the dollar coin of silver to contain precisely 371.25 grains of pure silver in a coin weighing, with its copper alloy, 416 grains.

Also, recall from the same section that the eagle was established as a coin of gold valued at ten dollars, weighing 247.5 grains of pure gold in a coin weighing, with alloy, 270 grains.

To compare a coin of silver and gold, it is appropriate to look at the same dollar value.

Since the *unit* coin of silver was the dollar coin and the *unit* coin of gold (the eagle) was a coin worth ten dollars, one may examine either an eagle's worth of silver (ten silver dollars) or a dollar's worth of gold (1/10th of an eagle).

For the sake of simplicity, we'll compare one dollar's-worth of gold with one dollar's-worth of silver.

Since there are 10 dollars'-worth of gold in one eagle, it is necessary to divide the eagle by ten, coming up with an equivalent of *24.75 grains of pure gold in one dollar's-worth of gold.*

Since Section 11 of the 1792 Act specifically made an *equivalent* weight of pure gold worth 15 times the corresponding weight of pure silver, a dollar's worth of pure silver should have 15 times the weight of a corresponding dollar value of pure gold.

Taking a dollar's worth of gold—24.75 grains of pure gold—and multiplying it by 15 as Section 11 would demand in this situation, equates to 371.25, which is the precise amount of pure silver specified in one silver dollar in Section 9.

Thus, one sees mathematically that Sections 9, 11, 12 and 13 are all starting to align properly, as one would expect. Carrying the math forward proves that all the sections of the 1792 Act align fully.

Again, recall that Section 9 specified one dollar to contain 371.25 grains of pure silver in a coin weighing, with copper alloy, 416 grains.

Working with fractions or decimal-equivalents are more difficult than working in whole numbers. Changing the numerator in the fraction 371.25/416ths to a whole number helps simplify the math.

Since the numerator of 371.25 grains points to *one-quarter of a grain* to the right of the decimal place, to get to a whole number, it is necessary in this case to multiply that number by *four*. Multiplying 371.25 by four equals *1,485*.

Since the numerator had been multiplied by four, so too must the denominator. 416 multiplied by four equals *1,664.* Subtracting 1,485 from 1,664 equals *179*.

One should recognize these precise numbers as specified in Section 13 of the 1792 Act for the purity standard for silver, being 1,485 parts silver to 179 parts copper, for 1,664 parts, total.

All silver coins were proportional in value as their proportional weight would demand, as were coins of gold also proportional in value to weight.

The purity and weight standards established by the 1792 Act demonstrate the objective measure of precious metals to correspond with the established units of monetary value.

All sections of the 1792 Coinage Act are mathematically consistent with one another, down to precise levels that were at that time difficult to attain.

Members of Congress provided Americans with money that had objectively-regulated value according to members' enumerated power to coin money and regulate its value.

Members of Congress took very seriously their sworn duty to establish a true and consistent Standard of Value that is required of our constitutional money, coins that were struck in gold or silver at mathematically-consistent weights and purity.

Section 11, discussed earlier, pointedly declares the principle, stated here in its shortest truth;

> "That the value of all coins which shall by law be current as money…shall be according to quantity in weight, *of pure gold or pure silver*."[5]

Nothing was more plainly stated—the value of all coins current as money shall be according to quantity of weight of pure gold or pure silver, period.

Again, however; since pure silver and especially pure gold coins would in that pure state degrade too quickly from abrasive wear, alloy was added to toughen the coins, but that alloy did not add to the value of the coins.

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5. Act of April 2, 1792, I Stat. 246 @ 248-249. Section 11.

The simple statement of Section 11 (that "the value of all coins which shall by law be current as money…shall be according to quantity in weight, of pure gold and pure silver") proves that a coin without gold and silver had no lawful tender monetary value for the States of the Union united under the Constitution.

That express constitutional principle has never been changed.

Therefore, even today, a coin without gold or silver has no lawful tender monetary value for the States of the Union united together under the U.S. Constitution.

Instead, Americans have been falsely led to believe that coins without gold and silver are legal tender throughout the Union at values historically reserved for precious metal and also that paper currencies irredeemable in gold or silver are a legal tender, because they falsely think the supreme Court ruled that way long ago.

That false assumption will be the topic of the next chapter.

In the meantime, the 1792 Coinage Act still has more to teach.

Section 16 of the 1792 Coinage Act similarly declares;

> "That all the gold and silver coins…struck at…the…mint, shall be a lawful tender in all payments whatsoever, those of full weight according to their respective values…and those of less than full weight at values proportional to their respective weights."[6]

The lawful tender *value* of all gold and silver coins shall be according to *weight* of properly-pure gold and silver coins. Here, one finds another statement—beyond Section 11—that lawful tender money is only gold and silver coins of proper purity and weight.

While full-weight coins were valued under the 1792 Act at their stated legal value, coins light of weight were valued only according to their proportional weight.

6. *Ibid.*, Page 250. Section 16.

If a silver dollar was struck only at 98% of intended weight of 416 grains, with alloy, the lightweight coin would only be valued legally at 98 cents.

The early coins were not struck with a stated value. It was presumed that the legal value of all coins would be determined at time of purchase and sale, by physically weighing the coins to determine their standard weight. Then, knowing their purity, the coins' legal value could be ascertained mathematically.

It was not until 1837 when the art and science of striking coin had advanced sufficiently that both gold and silver coins began to pass officially by *tale*—by the count of the coins—light-weight coins were thereafter culled from circulation and struck into full-weight coins and precise standards for both weight and purity were set within allowable tolerances.

While the 1792 Coinage Act set very strict measures for purity—because purity was so difficult to determine (after a coin was struck)—their target *weight* didn't have established tolerances beyond the mint officials' "best endeavours" to reach the targeted weight.

Section 14 of the 1792 Act made it lawful "for any person…to bring to the said mint gold and silver bullion, in order to be coined…*free of expense*."[7]

The free coinage of money out of a depositor's gold and silver bullion meant that the people depositing gold and silver bullion would have to wait for their coins to be struck out of the physical metal they left at the mint. Once the mint got ahead of orders and was able financially to keep on-hand a small store of coined money, the Act allowed depositors to receive gold and silver coin immediately after their gold and silver bullion had been assayed to determine its value. However, in this latter case, the mint was allowed to charge one-half percent of the pure bullion value for mint costs (with the depositor benefiting by receiving coin immediately).

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7. *Ibid.*, Page 249. Section 14.

Section 19 of the Coinage Act of 1792 is the last of the sections to examine and it shows just how deadly serious members of Second Congress took their role to coin honest money. It reads;

> "That if any of the gold or silver coins which shall be struck at the said mint shall be debased or made worse as to the proportion of fine gold or fine silver, or shall be of less weight… through the…connivance of any of the officers…with a fraudulent intent… every such officer…who shall commit…the said offences, shall be deemed guilty of felony, and shall suffer *death*."[8]

So seriously did members of Congress commit to coining honest money that they prescribed the death penalty for any mint officer who intentionally sought to debase or clip the coins with fraudulent intent.

What the mint has done daily since 1965—making coins without any silver but said to have a legal value equivalent of the old silver coins—would have been punished by death in 1792.

The bottom line is that first Coinage Act under the U.S. Constitution properly laid out the absolute rule of lawful tender value being proportional to weight and purity of gold and silver in coins struck according to fully-consistent law.

While this completes the discussion on the 1792 Coinage Act, Article I, Section 8, Clause 5 of the Constitution yet offers Patriots more to study.

Besides having the express power to coin and regulate the value of American money, members of Congress may also regulate the American value of *foreign* coin.

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8. *Ibid.*, Page 250. Section 19.

Foreign coins are given an American lawful tender value simply by assaying the purity of foreign precious metal coins, to come up with a comparable price that is directly proportional to the purity and weight of gold and silver relative to the current American coinage standards.[9]

It is important to notice that Clause 5 discusses the coining and regulating of the value of American *Money*, but only allows Congress the express power to regulate the value of foreign *Coin*.

By using "Money" as the noun dealing with American money, but using "Coin" as the noun involving the American value of foreign coin, it could appear to the uninformed that the Constitution has *differing* standards for American money and foreign coin.

Indeed, proponents of paper currency point to this difference to say it proves their point that American "Money" includes things beyond "Coin"; i.e., that money extends to paper currencies.

For additional support, proponents of paper currencies next point to Article IX of the Articles of Confederation (the earlier form of government established for a short time before the Constitution was ratified), with its words;

> "The United States in Congress assembled shall have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of respective States."

Since the "alloy" and value "of *coin* struck" obviously points to metallic coin, then surely the U.S. Constitution allows Congress *greater* discretion in the creation of money, so the argument goes.

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9. For example, the first Act to regulate foreign coins—February 2, 1793 (I Stat. 300)—specified "the gold coins of France…of their present standard" to be an American legal tender "at the rate of one hundred cents for every twenty-seven grains and two fifths of a grain, of the actual weight thereof" (of their standard weight [with alloy]).

However, both citations only cite the half of the founding documents that support their false view while ignoring the other half which decisively refutes it.

Careful examination of both the Articles of Confederation and the U.S. Constitution shows that the latter is actually far more restrictive monetarily than were the Articles.

As the Articles of Confederation show, the States retained the lawful authority to coin their own money, following any uniform standard Congress would set.

However, neither Congress nor any State established any mint for striking gold or silver coins, as it was simply beyond their means and ability.

The first sign that the argument espoused by paper currency advocates falls short of the truth is found by reading another portion of the ninth Article of Confederation which reads;

> "The United States in Congress assembled shall never…coin money, nor regulate the value thereof… nor emit bills, nor borrow money…unless nine states assent to the same…"

In this passage, one realizes that the noun being referenced is "money," with "coin" again being the verb, just like Article I, Section 8, Clause 5 of the U.S. Constitution!

Therefore, the *money* being "coined" by this portion of the ninth Article is the same *coin* being earlier "struck."

The argument for paper currency under the U.S. Constitution falls even further upon reading Article I, Section 8, Clause 6 of that Constitution and its words that;

> "The Congress shall have Power…To provide for the Punishment of counterfeiting the Securities and current *Coin* of the United States."

Here, one sees the "Money" of Clause 5 that was there being coined is the same "current Coin" that Congress may punish the counterfeiting thereof in Clause 6.

Thus, the Articles of Confederation and the U.S. Constitution both use the terms "Coin" and "Money" *interchangeably*, to mean one and the same thing—coined money of gold or silver.

While the ninth Article of Confederation discusses the "alloy and value of coin struck," Article I, Section 8, Clause 6 of the U.S. Constitution discusses the punishment of counterfeiting the "current Coin of the United States." "Coin," in both places, is being used as the noun.

And, while Article I, Section 8, Clause 5 of the U.S. Constitution discussed the power of Congress "To coin Money," the ninth Article of Confederation likewise discussed that the United States in Congress assembled shall never "coin money" unless "nine States assented to the same."

In both of these latter instances, "coin" is the verb and "money" is the noun.

However, even more informative regarding the extent of powers included within the phrases, notice the specific phrase of the Articles of Confederation that Congress shall not coin money "*nor emit bills"*— unless nine States assent to the same.

"Emitting bills" refers to emitting bills of credit, i.e., paper currencies. With this enumerated power under the Articles, one understands that if nine States "assented" to the emission of bills of credit, then Congress under the Articles of Confederation *could print and issue paper currency*.

In other words, in a government of delegated powers, the words about "striking coin" and "coining money" did NOT reach to emitting of bills of credit, because that explicit power had to be expressly listed to be an allowed power!

Therefore, with the power to "emit bills" expressly *named* in the Articles of Confederation, the delegates of the Confederate Congress *could* emit the bills as long as the qualification was met—i.e., as long as *nine* States authorized it.

However, in a government of delegated powers under the U.S. Constitution, no similar delegation of authority to emit bills of credit was therein named, meaning that, under the Constitution, members of Congress may not emit bills of credit for the Union!

Indeed, the express power to emit bills of credit was formally proposed at the Constitutional Convention on August 16, 1787.

It was fully discussed and then expressly voted *out* of the draft of the proposed Constitution, by a vote of nine-States-to-two (New Jersey and Maryland voted to keep the power in the proposed draft; the other nine States present at the Convention voted to remove the offending words [while New York was absent from the convention after July 11th and Rhode Island never attended]).

One may read James Madison's words in *The Federalist #44* about the "pestilent effects of paper money" and the "unadvised measure" of emitting bills of credit being voluntarily "sacrificed" at the Convention "on the altar of justice" and thrown out as an enumerated power to be vested with Congress upon ratification.

The U.S. Constitution also speaks to bills of credit, in Article I, Section 10, Clause 1, which reads;

> "No State shall...coin Money; emit Bills of Credit; (or) make any Thing but gold and silver Coin a Tender in Payment of Debts."

Here one sees that an express prohibition prevents the States of the Union from striking their own coin and also from emitting "Bills of Credit."

With Article I, Section 10 explicitly prohibiting the States from coining their own money and also from emitting Bills of Credit, it is obvious that the Framers of the U.S. Constitution likewise did not consider the phrase "To coin Money" to include a coordinated power

"to emit Bills of Credit." Indeed, if they had, then prohibiting the States from coining Money would have been enough to also prohibit them from emitting Bills of Credit.

Therefore—just like the Articles of Confederation—the words "To coin Money" under the U.S. Constitution *do not include* the power to "emit Bills of Credit."

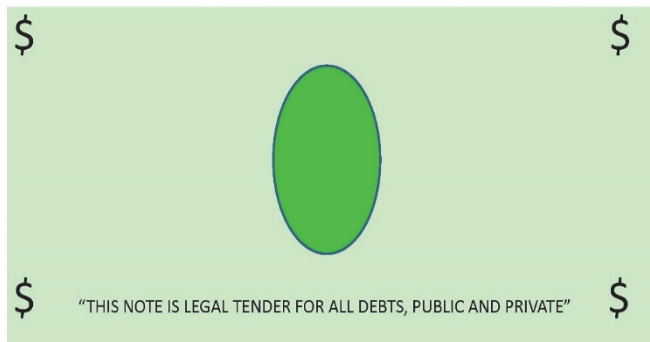
One cannot consistently hold two different documents of the same era written by largely the same group of men for the same nominal form of government to two different standards, let alone hold the *same* document to two *different* standards. That proponents of paper currency stoop so inconsistently low to support their view shows how fragile is their advocacy.

Under both established forms of government—the Articles of Confederation and the U.S. Constitution—the power "To coin Money" does NOT include the power to print a paper currency.

Because the Articles expressly listed the power, Congress under the Articles could emit paper currency.

Because the Constitution omits any such reference, the government of enumerated powers that may exercise only necessary and proper means cannot emit legal tender paper currency for the Union (as the supreme Court correctly held *three* times).

Yet, Patriots know full well that the paper currency notes which circulate widely today declare themselves to be "legal tender for all debts, public and private."



Something odd is obviously occurring, as actions, events, and circumstances abound that oppose founding principles.

What that "something" is will be discussed next, in Chapter 4.

As is always the case, ever-elusive symptoms need a full and accurate diagnosis of the underlying cause before the appropriate cure can ever hope to be properly applied.

In summation, the important takeaway from Chapter 3 is that the 1792 Coinage Act specifically established the firm rule that the "value of all coins which shall by law be current as money…shall be according to quantity in weight, of pure gold or pure silver."

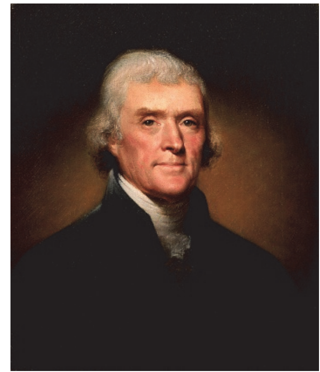
Nothing could be money that did not contain gold or silver. Again, the U.S. Constitution has never been modified to change that firm rule.

The next chapter will examine the odd transition from only gold and silver coin as lawful tender to paper currency also being declared a legal tender by the Act of February 25, 1862.

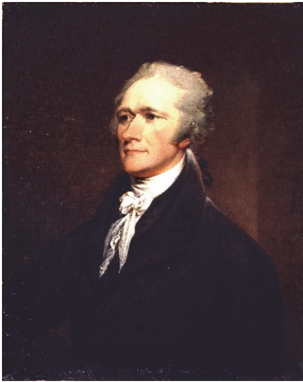
Chapter 4: Follow the Money—Legal Tender Act of 1862

Before getting into the heart of this chapter's discussion on legal tender paper currencies, it will be helpful to examine briefly the 70-year time period between the Coinage Act of 1792 and the Legal Tender Act of 1862.

This early era may be viewed as an escalating struggle between two major political factions which held opposing visions for preferable federal action.



Thomas Jefferson lead the early Democratic-Republicans—the agrarian farmers and citizen-legislators who promoted limited government, fiscal restraint and hard-money.



Alexander Hamilton led the opposing Federalists—the proponents of a strong central government who sought to enact legislation favorable to banking interests and corporate America.

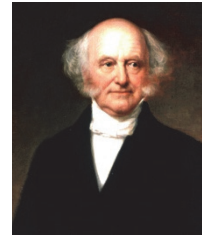
Hamilton, as the Secretary of the Treasury, successfully helped charter the *bank of the United States* in 1791. However, proponents failed to extend its 20-year charter in 1811. The bank thereafter re-organized under Pennsylvania law, limiting its future operations only to that State.

While all *lawful tender* monetary legislation prior to 1862 dealt *only* with gold and silver coin, the first *Treasury notes* were issued in 1812 after the outbreak of war. However, being issued only in large denominations and bearing interest, treasury notes were essentially readily-marketable bonds that did not function as a medium of exchange.

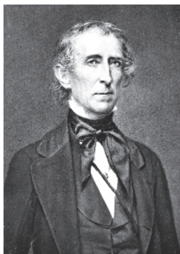
Due to the financial repercussions of the War of 1812, Congress chartered the second bank of the United States, in 1816, also for a 20-year term. Banking proponents again failed to extend its charter and the second bank also took a charter under Pennsylvania, in 1836.

Although national banks successfully received national charters due to the financial demands of war, prolonged peace proved wholly unfavorable to them.

On July 4, 1840, Democratic President Martin Van Buren ceremoniously signed into law what was widely considered America's *Second* Declaration of Independence—the Independent Treasury Act—to *separate* "bank and State." The Act sought to implement a four-year planned process to convert 25%-per-year over to using only gold and silver coin in all federal transactions.



However, in 1841, the Whig political party (of similar mind as the early Federalists) took control of both Congress and the Presidency and repealed the Independent Treasury Act the next year.



The Whig Congress soon sent to President John Tyler a bill to charter a third national bank. Despite being a central tenet of the Whig political platform, the Whig President nevertheless vetoed the bank bill, because to approve it, he said:

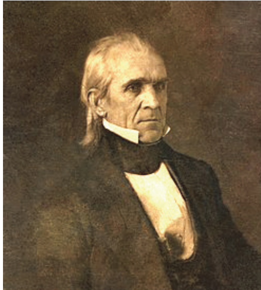
"would be to commit a crime which I would not willfully commit to gain any earthly reward."[1]

1. https://millercenter.org/the-presidency/presidential-speeches/august-16-1841-veto-message-regarding-bank-united-states.

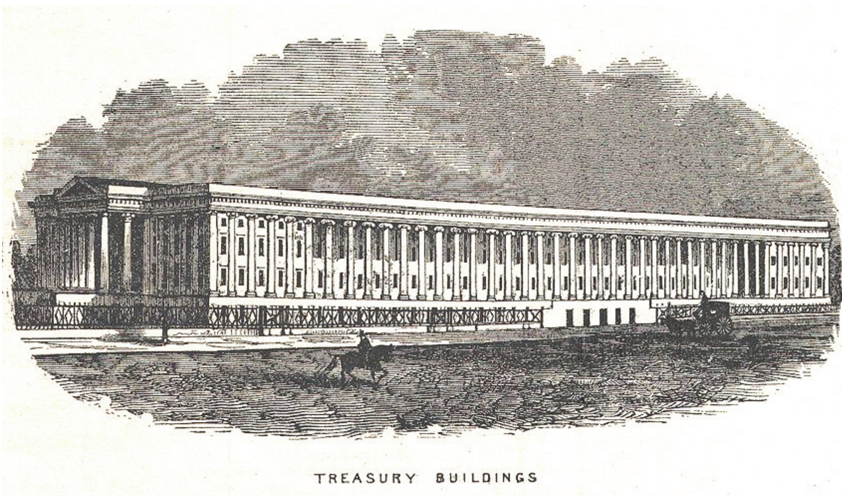
All of the President's cabinet but Secretary of State Daniel Webster resigned in protest, attempting to show a vote of no-confidence in the President, trying to force his resignation.

Banking advocates rioted in front of the White House. The D.C. police were soon formed in response to the incident.

The political feud brewing since 1791 came to final blows under government strictly-limited by the U.S. Constitution in 1846, in clear favor of the hard money advocates, when Democratic President James K. Polk signed into law the second Independent Treasury Act on August 6, 1846.



The Treasury's fire-proof vaults and safes were made the literal treasury of the United States under the 1846 Independent Treasury system (also known as the Sub-Treasury system). The coinage mints of Philadelphia and New Orleans were made sub-treasuries, as were the custom-houses of New York and Boston. Post Offices were also involved.



TREASURY BUILDINGS

Section 6 of the Act spectacularly prohibited the deposit of federal money into any bank.

With all federal funds thereafter kept only in government vaults, the monetary supply was stabilized as federal funds could not be used to augment the (State) banks' creation of money *out of thin air*.

The new law required the collectors of the public money "to keep safely…all the public money collected by them," focusing on the secure return *of* money, rather than promoting an ever-elusive and fleeting return *on* money.[2]

The "teeth" of the Act—Section 16—spectacularly declared the "deposit in any bank…any portion of the public moneys" to be *felony embezzlement.*[3]

All payments due government, including for postage, were required to be paid by Section 18 only in silver coin, gold coin, or the government's interest-bearing Treasury notes.

No paper notes issued by any State-chartered private bank could be used for *any* federal obligation whatsoever. Of course, no more national banks continued to exist after 1836.

Section 19 required all federal officials to pay the government's obligations due its creditors only in gold coin or silver coin, unless the individual creditor voluntarily agreed to accept payment in Treasury notes.

Section 1 allowed the Treasury Secretary to use *drafts* to offset credits and debits locally, to minimize the physical transfer of gold and silver coin across broad regions of the United States.

Section 21, however, explicitly charged the Secretary of the Treasury to guard against these drafts from "being used or thrown into circulation, as a paper currency, or medium of exchange."[4]

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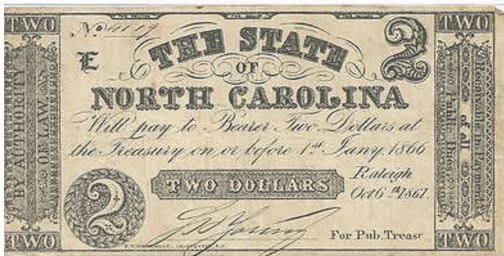
2. Act of August 6, 1846. 9 Stat. 59 @ 60. Section 6.
3. *Ibid.*, Page 63. Section 16.
4. *Ibid.*, Page 65. Section 21.

Section 20 required each department head to suspend any disbursing officer who violated any portion of the Act, forwarding the facts of each incident to the President for prompt removal and, when warranted, court trial and punishment.

The 1846 Independent Treasury Act was *game-over* for proponents of Big Government who favored national banks with their destabilizing paper currencies (even as *none* of the old bank currencies had ever been declared a tender), at least as long as limited government under strict construction of the Constitution remained in existence.

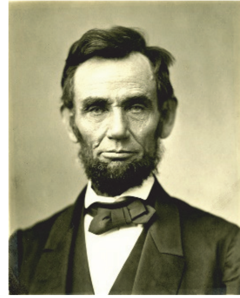
Without national circulation of national bank notes, the notes of private banks chartered in each State circulated only within their State of charter. With hundreds of local banks each issuing their own distinctive paper notes, residents could easily differentiate between the wide-spread devastation caused when any one bank issued too much paper currency beyond its credit, as compared with prudent banks whose notes retained their value better.



Seeking to escape the inherent restraints which distinctive notes commanded, banking advocates continuously maneuvered toward the national circulation of a single currency to hide the devastating effects of over-emission.

The bankers' goal—national circulation—was achieved after the outbreak of the Civil War, when the country began not only tearing itself apart, but also the U.S. Constitution and the government acting under it (neither of which have been the same since).

On February 25, 1862, President Abraham Lincoln signed into law the Legal Tender Act, which established the first paper currencies declared to be a legal tender under the U.S. Constitution. $150 million of non-interest-bearing United States notes were issued, payable to bearer.



Section 1 provided that:

> "United States notes shall…be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest" which "shall be paid in coin."[5]

By this section, one sees that the notes declared to be a legal tender and lawful money nevertheless did not reach to the allowed payment of import duties owing to the United States or interest payments made by the Government on its bonds and notes. Import duties and interest payments were yet required to be paid in gold or silver coin.

One year later, on February 25, 1863, President Lincoln signed into law the National Banking Act, which allowed the creation of national banking associations, each of which could become a national repository for the federal funds.

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5. Act of February 25, 1862. 12 Stat. 345. Section 1.

The Acts of 1862 and especially 1863 gutted the Independent Treasury Act, otherwise allowing it to linger on, if in name only, until 1920, when it was summarily terminated.

After the Civil War ended, challenges to the Legal Tender Act reached the supreme Court.

Interestingly enough, the first three court cases—two of which will be herein discussed briefly—held that paper currencies were not a legal tender in the cases before them.

The 1869 *Bronson v. Rodes* Court held that:

> "express contracts to pay coined dollars can only be satisfied by the payment of coined dollars. They are not 'debts' which may be paid by the tender of United States notes."[6]

The *Bronson* Court also provided several informative paragraphs regarding the money that was a true lawful tender, saying:

> "The design of all this minuteness and strictness in the regulation of coinage is easily seen. It indicates the intention of the legislature to give a sure guaranty to the people that the coins made current in payments contain the precise weight of gold or silver of the precise degree of purity declared by the statute.
>
> "It recognizes the fact, accepted by all men throughout the world, that value is inherent in the precious metals; that gold and silver are in themselves values, and being such, and being in other respects best adapted to the purpose, are the only proper measures of value; that these values are determined by weight and purity; and that form and impress are simply certificates of value, worthy of absolute reliance only because of the known integrity and good faith of the government which give them."[7]

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6. *Bronson v. Rodes*, 74 U.S. 229 @ 254 (1869).

7. *Ibid.*, Page 249.

Then, in 1870, in full and proper support of the Constitution, the *Hepburn v. Griswold* Court went so far as to declare that the Constitution prohibited the issuance of legal tender paper currencies, stating:

> "We are obliged to conclude that an act making mere promises to pay dollars a legal tender in payment of debts previously contracted, is not a means appropriate, plainly adapted, really calculated to carry into effect any express power vested in Congress; that such an act is inconsistent with the spirit of the Constitution; and that it is prohibited by the Constitution."[8]

The court's overt rejection of legal tender paper currencies was reminiscent of Congress refusing to extend the national bank charters during times of peace. Bankers repeatedly lost *after* the war the ground they gained *during* war.

Nevertheless, given how important it was for them to advance their cause, banking advocates doubled down and pressed forward.

After all, it didn't matter how the court upheld paper currencies as legal tender, they just needed it done, somehow.

On April 10, 1869, President Ulysses S. Grant signed into law the Judiciary Act of 1869, increasing the number of judges on the supreme Court from seven-to-nine. On the same day the *Hepburn* Court prohibited paper currencies, President Grant nominated two new judges.

The following year, the *Legal Tender Cases* Court, with its newly-seated judges, developed a new majority, to uphold paper currencies for the first time under the U.S. Constitution.

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8. *Hepburn v. Griswold*, 75 U.S. 603 @ 623 (1870). Italics added

However, far more important than knowing *what* the judges ruled is discovering *how* they supported their finding. Indeed, the Patriot Corps does NOT dispute their actual decision, even though the Patriot Corps wholly disputes the decision's false implication (that the opinion directly impacts the whole Union).

Stated clearly, so readers may realize where this discussion is headed, the court upheld paper currencies only as legal tender for the District of Columbia. The Patriot Corps readily agrees that Congress may impose a legal tender paper currency for the District Seat, because no enumerated words of the Constitution prohibit that express action within that exclusive legislation area.

But, the Patriot Corps absolutely refutes the false implication that Congress may issue legal tender paper currencies for the Union.

After all, not even supreme Court judges may ignore their solemn and binding oaths to support the Constitution.

Please realize that the 1871 opinion is a masterpiece of deception, so deciphering it is intentionally difficult. Therefore, don't be discouraged if the opinion proves difficult to follow. It is simply important to keep at it until one understands it, to separate what the court held from what it merely implied.

It is vital to break apart the first passage (of fifteen sentences) that is jumbled together in one long paragraph and examine it carefully.

The first two sentences read, in part:

> "We will notice briefly an argument presented in support of the position that the *unit* of money value must possess *intrinsic* value.
>
> "The argument is derived from assimilating the constitutional provision respecting a standard of weights and measures to that of conferring a power to coin money and regulate its value."[9]

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9. *The Legal Tender Cases*, 79 U.S. 457 @ 552-553. (1871). Italics added.

This comment indirectly references the constitutional power of Article I, Section 8, Clause 5 of the Constitution that empowers Congress "To coin Money, regulate the Value thereof, and of foreign Coin, and fix a Standard of Weights and Measures."

The passage continues with a third sentence, which—based on the first two sentences—asks a question:

> "It is said there can be no uniform standard of weights without weight, or of measure without length or space, and we are asked, how anything can be made a uniform standard of value which itself has no value?[10]

By these words, the sentences offer a simplified restatement of the case from a strict-constructionist's viewpoint.

Since this book is based upon strict construction of the Constitution, the court's answer in the fourth sentence is of great interest. Surprisingly, the court answered:

> "This is a question *foreign* to the subject before us."[11]

This shocking answer informs strict-constructionists that something highly unusual is occurring here and that it is imperative to pay very close attention. One does not want to view the case from a perspective different from the court, because if one does, one won't be able to follow the court opinion.

It is important to realize that the opinion informs readers that the court would NOT be rendering that opinion from a hard-money perspective. Indeed, if one attempts to view the case from the viewpoint that Congress emitted paper currency under the Constitution's enumerated monetary powers (which the court indirectly admits don't reach beyond coin, then one wouldn't be able to follow the ruling).

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10. *Ibid.,* Page 553.
11. *Ibid.,* Italics added.

While the first three supreme Court cases that examined paper currency all viewed those cases from a monetary perspective (holding that the Constitution's monetary clauses do not reach paper currencies), this passage from in the fourth case informs those Patriots who are paying sufficient attention, that the opinion would be given from an entirely *new* and *different* perspective.

Thankfully, for those of us who are rather dense, the court provided additional comments, to solidify this conclusion (that the ruling would not examine matters from a monetary perspective). To ensure that paper currencies were NOT viewed from a monetary standard under Article I, Section 8, Clause 5, the court said:

> "The legal tender acts do not attempt to make paper a standard of value.
>
> "We do not rest their validity upon the assertion that their emission is coinage, or any regulation of the value of money; nor do we assert that Congress may make anything which has no value money."[12]

By these stunning admissions, *The Legal Tender Cases* Court—the first supreme Court case to uphold the legal tender nature of paper currency in the case before them—just expressly admitted that even the paper currency they would uphold as legal tender was NOT an attempt to make paper currencies "a standard of Value."

Even more astonishing is the court's express admission that paper currency is NOT "money" and especially that it has "no value."

Summarizing the passage, the court just admitted that legal tender notes:

a. are NOT "coinage;"

b. are NOT a regulation of the value of money;

c. do NOT have inherent value; and (that the notes)

d. are NOT "money."

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12. *Ibid.*

In case anyone doubts these clear conclusions, the court next pointedly declared:

> "It is, then, a *mistake* to regard the legal tender acts as either fixing a standard of value or regulating money values, or making *that* money *which has no intrinsic value*."[13]

After the court alerted readers to pay close attention, it next informed them that it was a *mistake* to view the Legal Tender Acts from a monetary perspective, since paper currency is not money and has no intrinsic value (as three earlier court cases had already ruled).

Another passage again confirms this point (that the court did NOT use Article I, Section 8, Clause 5 to uphold the issuance of a legal tender paper currency), saying; "We do not, however, rest our assertion of the power of Congress to enact legal tender laws upon this grant." The court was speaking, of course, to the *grant* of enumerated power to Congress to coin money and regulate its value.

By repetitive court statements, the first supreme Court case to uphold the issuance of legal tender paper currency did NOT uphold paper notes by looking to the power of Congress to coin money or regulate its value.

By these words, paper currencies were NOT being held as a new form of money for the Union, adding to and later replacing gold and silver coin (as nearly every American today falsely believes, out of profound ignorance).

No Patriot should ever willingly concede anything to arbitrary government which isn't absolutely "pried from their cold, dead hands;" and not knowing what precedent-setting court opinions actually held is a luxury which can't be ignored, for this is where government violently detours away from America's founding principles and begins to roam about in uncharted territory.

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13. *Ibid.* Italics added.

After the judges told us repeatedly what they did NOT do, they provide us a glimpse of what they did, without here informing us *how* they acted, stating:

> "What we do assert is, that Congress has power to enact that the government's promises to pay money shall be, for the time being, equivalent in value to the representative value determined by the coinage acts, or to multiples thereof."[14]

There only point to examine within this sentence of gibberish is the court's reference to paper currency notes as "the government's promises to pay money."

In his *concurring* opinion on the same case, newly-seated Justice Bradley also commented that United States notes were "a *promise*...to *pay* dollars...*not*...to *make* dollars."[15]

The earlier *Hepburn* Court referred to paper currency as "mere promises to pay dollars,"[16] while the *Bronson* Court similarly stated that "the note dollar" was a "promise to pay a coined dollar."[17]

By repetitive court opinions—even opinions seemingly ruling in opposition to one another—Patriots may discover that all the court cases nevertheless consistently held paper currency as legal *I.O.U.'s.*

Paper currencies are legal obligations acknowledging that the U.S. Government will someday pay to the note holder, coined money of gold or silver (the only "things" which are "money" for the Union; the only "things" which are struck in a precisely-determinable and therefore "regulated" value; the only "things" which have inherent value, and, which, in fact, *are* the Standard for determining Value).

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14. *Ibid.* Page 547. Italics added.
15. *Ibid.* Page 560. Italics added.
16. *Hepburn v. Griswold*, 75 U.S. 603 @ 625 (1870). Italics added.
17. *Bronson v. Rodes*, 74 U.S. 229 @ 251 (1869).

Before examining the next important quote of the *Legal Tender Cases*, it will be helpful to review the express federal *criminal* jurisdiction detailed in the U.S. Constitution, which is:

1. Treason (via Article III, Section 3, Clauses 1 & 2 of the U.S. Constitution);
2. Counterfeiting the Securities and current Coin of the United (by Article I, Section 8, Clause 6);
3. Piracies and Felonies committed on the high Seas and offenses against the Law of Nations (through Article I, Section 8, Clause 10); and
4. Impeachment (under Article I, Sections 2 and 3 and Article II, Section 4). It should be noted that impeachment has an attached qualifier to it, since judgement does not extend to punishment (only to removal from office and potential disqualification to hold future federal offices).

It should be mentioned that *The Legal Tender Cases* had nothing to do with any alleged crime—nowhere was there any assertion of any criminal behavior.

Since *The Legal Tender Cases* had nothing directly to do with any alleged crime, the discussion of a topic seemingly irrelevant is either important because it is indirectly relevant or it is immaterial. Further inspection will reveal that the comment on crime is indirectly relevant (as this reference casually points to the ultimate authority the court would use to uphold paper currencies as legal tender).

As before, the next passage of study is jumbled together, to hide the importance of the muddled-together words. Again, the sentences will be parsed out for full and proper explanation.

The supreme Court correctly detailed that Treason, Counterfeiting, Piracy, and Impeachments are "the extent of power to punish crime *expressly conferred"* in the Constitution.[18]

Next, the court also correctly commented that:

> "It might be argued that the expression of these limited powers implies an exclusion of all other subjects of criminal legislation."[19]

Indeed, in a government of delegated powers, all actions in excess of those delegated are retained by the original delegating bodies (in this case, the several States of the Union which ratified into existence the U.S. Constitution).

By these comments, the court *again* acknowledges the strict constructionist's argument, that a government of delegated powers does not have *inherent* powers that go beyond its delegation.

Next, the court narrowed that broad line of general thought down to the specific case nominally before them, writing:

> "Such is the argument in the present cases.
>
> "It is said because Congress is authorized to coin money and regulate its value it cannot declare anything other than gold and silver to be money and make it a legal tender."[20]

By these words, the court once again acknowledges the strict constructionist's argument, now in the specific case seemingly before the court.

Since the court already informed us that they were NOT viewing this controversy from THAT perspective, it is hardly surprising the court's next sentences seemingly come again from left field, saying (in response to the last three sentences):

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18. *The Legal Tender Cases*, 79 U.S. 457 @ 535-536. (1871). Italics added.
19. *Ibid.*
20. *Ibid.*, Page 536.

> "Yet Congress, by the Act of April 30, 1790…and the supplemental Act of March 3d, 1825, defined and provided for the punishment of a large class of crimes other than those mentioned in the Constitution, and some of the punishments prescribed are manifestly not in aid of any single substantive power.
>
> "No one doubts that this was rightfully done, and the power thus exercised has been affirmed by this court."[21]

To best understand the court's deft and subtle reference to the actual power the judges just gave to explain how they could uphold Congress being able to issue legal tender paper currencies, it helps to restate this passage in an easier-to-understand format:

1. First, the court began its admission by correctly acknowledging that Treason, Counterfeiting, Piracy and Impeachments are "the extent of power to punish crime expressly conferred" (within the Constitution).
2. The court next admitted the normal principle regarding a government of expressly-delegated powers, that "It might be argued that the expression of these limited powers implies an exclusion of all other subjects of criminal legislation."
3. The court then brought the general discussion of a government of delegated powers to the specific case seemingly before the court, repeating the strict-constructionist's argument that Congress "cannot declare anything other than gold and silver to be money and make it a legal tender."

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21. *Ibid.*

4. But, despite otherwise-valid arguments normally associated with a government of expressly-delegated powers (both general and specific to this case), yet Congress, "by the Act of April 30, 1790," nevertheless "defined and provided for the punishment of a large class of crimes *other than those mentioned in the Constitution*" and no one earlier objected.

The Legal Tender Cases opinion thus points out the historical fact that even considering the general rule for a government of expressly-delegated powers, Congress had earlier "defined and provided for the punishment of a large class of crimes *other than those* *__mentioned__* *in the Constitution*" — and that no one ever asserted that such action was improper.

In other words, this reference (that points to the source of authority that allowed Congress to provide earlier for the punishment of a large class of crimes other than those crimes mentioned in the Constitution) points to that same authority for support of legal tender paper currencies which are also not mentioned in the Constitution.

Indeed, this precisely-worded passage (referencing crimes "other than those mentioned in the Constitution") provides a strong clue that the judges weren't being forthright in their actions. Neither is this strict attention to detail the only instance found in the opinion.

Besides Justice Strong writing that the 1790 and 1825 crime Acts "defined and provided for the punishment of a large class of crimes other than those *mentioned* in the Constitution," the newly-appointed judge also detailed that the crime Acts defined and provided for the punishment of a large class of crimes other than those crimes which had "direct *reference*… in the Constitution."

And, he reiterated for a *third* time in his opinion that the 1790 and 1825 crime Acts defined and provided for the punishment of a large class of crimes *other than* the criminal jurisdiction which was "expressly *conferred*" in the Constitution.

With three separate examples of precisely-worded phrases dealing with the same otherwise-irrelevant subject in this case—irrelevant beyond its reference pointing to the authority that the court could use to uphold the issuance of a legal tender paper currency—it is becoming increasingly evident that *The Legal Tender Cases* Court chose its words carefully, to imply something without legally coming out and falsely stating it.

The court's uses of the phrases "*mentioned*" in the Constitution, "*referenced"* in the Constitution and which discussed the criminal jurisdiction which was "*expressly conferred"* in the Constitution are clever legal maneuverings used to *imply* that some of the crimes found in the 1790 and 1825 crime Acts couldn't find actual constitutional support, without ever coming out and falsely declaring that false and wholly erroneous assertion.

To understand the false implications of these many references, it is proper to examine the April 30, 1790 Crime Act to see if all of its sections can nevertheless find proper constitutional support (even if there happens to be a large class of crimes that wasn't expressly mentioned or referenced in the Constitution or where the express *criminal* jurisdiction wasn't therein named [as criminal jurisdiction]).

Reading the 1790 Crime Act, one discovers that Sections 1, 2, 23, 24, 29, 30, 31, 32 and 33 cover or relate somehow to the crime of *Treason*.

Section 14 covered *Counterfeiting* the securities of the United States.

Sections 6, 8, 9, 10, 11, 12, 13, 16, 17, 23, 25, 26, 28, 31, and 33 cover or relate to *Piracy*, crimes on the high seas and offences against the Law of Nations.

It should be mentioned that *Impeachment* was not covered in the 1790 Crime Act, because allowed punishment does not extend beyond removal from office and potential disqualification.

Since all these crimes are named in the Constitution, then none of these sections are being referenced in the 1871 opinion.

The first section of the 1790 Crime Act to discuss a crime *beyond* treason, counterfeiting and piracy, is Section 3, which reads:

> "That if any person or persons shall, within any fort, arsenal, dock-yard, magazine, or in any other place or district of the country, under the sole and exclusive jurisdiction of the United States, commit the crime of *wilful murder*, such person or persons on being thereof convicted shall suffer death."[22]

Since the crime of "*wilful murder*" discussed in Section 3 wasn't expressly *mentioned* or directly *referenced* in the Constitution, nor was the jurisdiction for punishment for this crime directly *conferred* or expressly named as *criminal* jurisdiction in the Constitution, the court's comments are not wrong — i.e., they are not literally false. There is at least one crime listed in the 1790 Act which fits the court's stated parameters.

The same goes for Section 7, which is worded:

> "That if any person or persons shall within any fort, arsenal, dock-yard, magazine, or other place or district of the country, under the sole and exclusive jurisdiction of the United States, commit the crime of *manslaughter*, and shall be thereof convicted, such person or persons shall be imprisoned not exceeding three years, and fined not exceeding one thousand dollars."[23]

It is also true that nowhere in the Constitution is there any express mention of the power of Congress to punish the crime of "*manslaughter.*" At least *two* crimes listed in the 1790 Act fit the court's stated parameters.

Many other sections have the same general wording of Sections 3 and 7, pointing to a growing class of crimes that fit within the court's express parameters.

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22. April 30, 1790 Crime Act. I Stat. 112 @ 113. Section 3.
23. *Ibid.,* Section 7.

Sections 4, 5, 6, 11, 13, 16, 17, 23, 24, 31, 32 and 33—like Sections 3 and 7 just covered—involve the punishment for crimes committed:

> "within any fort, arsenal, dock-yard, magazine, or other place or district of the country, under the sole and exclusive jurisdiction of the United States."[24]

Advocates of the U.S. Constitution should be well-versed with its words. If they are, then that phrase should be readily familiar, because its words are found within Article I, Section 8, Clause 17, which reads:

> "Congress shall have Power…To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings."

Clause 17, as covered earlier, authorizes a unique district that is to be constituted as the Seat of Government of the United States.

The critical words of this 1790 Act (referenced by the *Legal Tender Cases* Court) refer to a class of crimes committed within the *exclusive legislative power* of Congress for the District of Columbia and the "like Authority" that members may also exercise in "Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings."

For the explicit purpose of understanding the 1871 court opinion, it is vital to realize that the express wording—"in all Cases whatsoever"—readily stretches to reach *literal* "Cases"—court cases both "civil" *and* "criminal" in nature—as well as all *figurative* "Cases" (any and all actions, except those specifically prohibited).

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24. April 30, 1790 Crime Act. I Stat. 112.

Even though the specific *crimes* detailed within the 1790 Crime Act that were committed within the exclusive legislative lands aren't explicitly *named* within the Constitution, this fact is irrelevant to the actual provision of allowable criminal jurisdiction therein.

Indeed, the court readily acknowledges that it was *unquestioned* that the punishment of the referenced large class of crimes was readily within the power of Congress. The punishment of all crimes committed on Clause 17 properties is included within the phrase "in all Cases whatsoever" that is expressly enumerated within the U.S. Constitution.

The class of crimes discussed in 1790 Crime Act that weren't *mentioned* in the Constitution all relate to Article I, Section 8, Clause 17 exclusive-legislative lands that are *outside* the legal boundaries of the several States, where State criminal laws cannot reach. Since the punishment of crimes must be provided for, it is members of Congress who are ultimately responsible to provide for it.

There is only one more potential group of crimes listed in the 1790 Crime Act, besides the groups already discussed.

The final topic centers on *court process*.

Sections 15, 18, 19, 20, 21, 22, 23, 25 and 26 of the 1790 Crime Act relate to this final topic, including such individual crimes as perjury, bribery, obstruction of justice, felonious stealing of court documents and resisting court process.

Upon proper reflection, Patriots must realize that this group is merely but a *subset* of the class of crimes affecting Article I, Section 8, Clause 17.

Indeed, federal courts are *physically located* on Clause 17 exclusive legislative properties—either in the District Seat or within the "other needful buildings" wording that is expressly listed in Clause 17 (*court houses* are an integral part of the "other needful buildings" that are scattered throughout the Union on Clause 17 exclusive legislative properties).

Court-related crimes are therefore NOT a separate category or class of crimes, but simply *add* to the growing list of Clause 17 crimes already covered, making Clause 17-related crimes a truly *large* class of crimes that are found in the 1790 Crime Act that weren't expressly named in the Constitution.

Since Treason, Counterfeiting and Piracy were all *mentioned* in the Constitution, since they were all pointedly *referenced* in the Constitution, and since the criminal jurisdiction for those crimes were all directly *conferred* within the Constitution, the *only* large class of crimes to which *The Legal Cases* Court could have meant were those crimes relating to Clause 17 properties.

The 1825 Crime Act adds nothing more to the discussion, beyond referencing the counterfeiting of the *current coin* of the United States (it should be noted that there were no *current* coins of the United States in 1790 to provide for the counterfeiting thereof—the first coinage Act wasn't until 1792).

The 1871 *Legal Tender Cases* opinion indirectly pointed to Article I, Section 8, Clause 17 as *the true source* of authority, as the legal support, that allowed Congress to emit legal tender paper currencies and the court to uphold that ability.

In other words, members of Congress may issue legal tender paper currencies—NOT by looking to the Article I, Section 8, Clause 5 power of Congress to coin money and regulate its value for the whole Union—but *only* by looking to Clause 17, for the District Seat and other federal enclaves!

While members of Congress cannot emit bills of credit and declare them a tender *for the Union*—because this is not a necessary and proper means to carry out an enumerated power (as the supreme Court correctly-held three times)—members of Congress may in the District Seat do anything within their inherent discretion, except as they are expressly prohibited. And, since paper currencies are not expressly prohibited in the Constitution to Congress, members may in the District Seat emit them.

The fourth supreme Court case upheld legal tender paper currencies only as a *second* form of money within the District constituted as the Seat of Government of the United States.

It is imperative to realize that neither the 1862 Congress nor the 1871 supreme Court could modify the Constitution's existing requirement that the only legal tender for the Union was gold and silver coin of properly-regulated purities, weights and values.

This is *why* the supreme Court answered its question ("How could anything be made a uniform standard of value which itself has no value?") with the peculiar answer (that the question was "foreign to the subject before us")—because their opinion did NOT address the monetary clauses of the Constitution used for striking American money of gold or silver coin for the Union.

Indeed, no American court can issue that opinion, because the monetary clauses of the Constitution *cannot* and *do not* reach the emission of paper currencies, period.

Within the whole of the United States of America—beyond Clause 17 properties—the only *things* which are a lawful money and legal tender, even today, remain only gold and silver coin!

In conclusion, it is important to recall that every member of Congress and high federal official must swear an oath to *support* the Constitution. No person delegated federal authority may determine the extent of their allowable powers for the Union, nor the extent of powers for their friends and cohorts.

While Congress may *propose* amendments to the Constitution, only the *States* may *ratify* them. Only the States of the Union may change the allowed powers of Congress and the Government of the United States.

No court may interpret the words of the Constitution into an alternate meaning—and, while judges imply such power, in reality, they only give the same words found in the Constitution a *new* and *different* meaning *for the District of Columbia!*

Members of Congress and federal officials actually have *two* choices for exercising governing authority.

1. First, for the whole Union, they may exercise enumerated powers using necessary and proper means.
2. Second, under their power for the District Seat, they may exercise every possible power imaginable, taking only the minimum of care to refrain from doing something expressly prohibited them.

Which power do you think they will use time, and again, *if they can get away with it* (even for the whole Union [if they can])?

Understanding Federal Tyranny was written to expose the charade.

	Transfers of Governing Authority From the States of the Union to Congress and the United States Government	
	The Rule	**The Exception**
Authorization	U.S. Constitution	State Cession Statute, as expressly allowed by Article I, Section 8, Clause 17 of U.S. Constitution (for particular uses)
Method For Authorizating Transfer of Power	**Article VII Ratification Process**— by *each* and *every* State of the Union **Artice V Amendment Process**— three-fourths of States ratify amendments, binding all the States	"Particular" States *individually* cede land and power to Congress (and the U.S. Government) and Congress Accepts
Form of Government	Republican Form of Government	Absolute Tyranny
Extent of Discretion	Discretion reaches only to choosing allowable means for enumerated ends	Inherent Discretion to do anything except those actions that are prohibited
Allowable means	Enumerated Powers exercised using Necessary and Proper Means	All actions permitted except those expressly prohibited

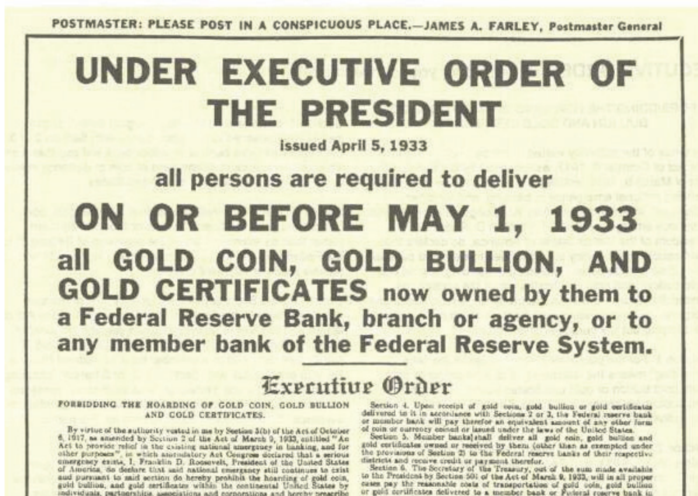
■ Ceded by all States ■ Ceded by Maryland

Chapter 5: Follow the Money—F.D.R.'s 1933 Gold Confiscation

As Chapter 4 readily showed, things political are not as they appear in these United States of America. Therefore, it is up to freedom-loving Patriots to learn and expose the corruption used to bypass normal constitutional restraints, so we may Restore Our American Republic, Once and For All and/or Happily-Ever-After.[1]

Nowhere else is this as true as the generation's-old assertion that President Franklin D. Roosevelt could force American citizens to turn in their gold to banks in 1933 and receive only paper in return.

The President's Executive Order No. 6102, issued on April 5, 1933—where he required "All persons" to deliver their gold to a bank—is a prominent falsehood that must be exposed as an utter lie in order to help protect all property, now and in the future.



POSTMASTER: PLEASE POST IN A CONSPICUOUS PLACE.—JAMES A. FARLEY, Postmaster General

UNDER EXECUTIVE ORDER OF THE PRESIDENT

issued April 5, 1933

all persons are required to deliver

ON OR BEFORE MAY 1, 1933

all GOLD COIN, GOLD BULLION, AND GOLD CERTIFICATES now owned by them to a Federal Reserve Bank, branch or agency, or to any member bank of the Federal Reserve System.

Executive Order

FORBIDDING THE HOARDING OF GOLD COIN, GOLD BULLION AND GOLD CERTIFICATES.

By virtue of the authority vested in me by Section 5(b) of the Act of October 6, 1917, as amended by Section 2 of the Act of March 9, 1933, entitled "An Act to provide relief in the existing national emergency in banking, and for other purposes", in which amendatory Act Congress declared that a serious emergency exists, I, Franklin D. Roosevelt, President of the United States of America, do declare that said national emergency still continues to exist and pursuant to said section do hereby prohibit the hoarding of gold coin, gold bullion, and gold certificates within the continental United States by individuals, partnerships, associations and corporations and hereby prescribe

Section 4. Upon receipt of gold coin, gold bullion or gold certificates delivered to it in accordance with Sections 2 or 3, the Federal reserve bank or member bank will pay therefor an equivalent amount of any other form of coin or currency coined or issued under the laws of the United States.

Section 5. Member banks shall deliver all gold coin, gold bullion and gold certificates owned or received by them (other than as exempted under the provisions of Section 2) to the Federal reserve banks of their respective districts and receive credit or payment therefor.

Section 6. The Secretary of the Treasury, out of the sum made available to the President by Section 501 of the Act of March 9, 1933, will in all proper cases pay the reasonable costs of transportation of gold coin, gold bullion or gold certificates delivered to a member bank or Federal reserve bank in

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1. "Once and For All" and "Happily-Ever-After" reference the thusly-nicknamed amendments proposed in Chapter 2, to contain tyranny and to end tyranny, respectively.

Before examining President Roosevelt's 1933 gold confiscation order, it is important to remind Americans of the express protections of the Fifth Amendment, which reads, in part:

> "No person shall be…deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Due Process, for those people unfamiliar with the term, relates to judicial process—including especially protecting the rights of notice and a fair hearing, where one may defend oneself before a final decision is given—before being deprived of property, liberty, or even life.

Protections helping to ensure Due Process include the right to be tried by an impartial jury of one's peers in a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with witnesses against him, to have compulsory process for obtaining witnesses in his favor, not being compelled in a criminal case to be a witness against himself, and to have assistance of counsel for his defense.

Since the supreme Law of the Land expressly declares that no person shall be deprived of property without due process of law, just how is it that an American *President* can issue an *executive order* requiring all persons to deliver their gold to a bank?

After all, President Roosevelt's 1933 gold confiscation decree hardly consisted of Americans being found guilty in some judicial trial of violating enacted law.

And, every State of the Union is expressly guaranteed *legislative representation*—which references laws being enacted by legislative members within their delegated authority, who have been elected to represent the citizens who elect them.

When a President issues a supposedly-binding decree forcing people to give up their gold for paper, obviously something is going on well beyond that which meets the eye.

The express purpose of this chapter is to expose that "something" to the bright light of day, so it may be understood—so all persons may protect their property from improper federal action.

Of course, all American Presidents swear an oath (or give an affirmation) to "preserve, protect and defend the Constitution of the United States" and to "faithfully execute the Office of President..."

That a President may issue a binding decree "requiring" all "persons" to deliver their gold to a bank, to be "paid" in non-redeemable paper currency—appearing to act as a tyrant capable of exercising absolute power—must be examined, for that conclusion is and must necessarily be false.

President Roosevelt's Executive Order No. 6102, executed on April 5, 1933, boldly declares, in Section 2;

> "All persons are hereby required to deliver on or before May 1, 1933, to a Federal Reserve Bank or branch or agency thereof or to any member bank of the Federal Reserve System all gold coin, gold bullion and gold certificates…"[2]

What followed next was a short list of four exceptions not here relevant, including $100 of gold per person, gold coins having "a recognized special value to collectors of rare and unusual coins," gold used in art and industry by license, and gold held for foreign governments and foreign central banks.

Section 9 provided the penalties for violating the order, saying;

> "Whoever willfully violates…this Executive Order…may be fined…$10,000, or…may be imprisoned for not more than ten years, or both."[3]

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2. *The Public Papers and Addresses of Franklin D. Roosevelt.* Vol. II, The Year of Crisis, 1933. Random House, NY. 1938. Executive Order No. 6102. Page 111 @ 112.
www.archive.org/details/4925381.1933.001.umich.edu/page/n5

3. *Ibid.*, Page 114.

Section 9 increased the stakes very high for anyone daring to stand up to an oppressive government intent on confiscating everyone's gold and leaving them only paper.

The President cited his authority for the order, saying;

> "By virtue of the authority vested in me by Section 5 (b) of the Act of October 6, 1917, as amended by Section 2 of the Act of March 9, 1933…"[4]

It is informative to look quickly at the cited 1917 Act, the *Trading with the Enemy Act*.

What is interesting about this World War I-era Act is that Section 6 specifically created the office of an *Alien Property Custodian* who was explicitly "vested with all the powers of a common law Trustee" to "receive all money and property in the United States due or belonging to an enemy" and to "hold, administer, and account" for the same during the war.[5]

"After the end of the war," Section 12 of the Trading with the Enemy Act informs us, "any claim of any enemy…shall be settled" according to law.[6] If the owner had no adverse claims against his, her, or its property or money, then the property and money were returned after the war ended.

Patriots must understand the ramifications and implications of this wartime Act.

America was at war—in *The War to End All Wars*. The United States had already declared war on the Imperial German Government on April 6, 1917. The United States would shortly declare war on the Imperial and Royal Austro-Hungarian Government, on December 7, 1917.

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4. *Ibid.*, Page 111.
5. Trading with the Enemy Act. 40 Stat. 411 @ 415. Section 6.
6. *Ibid.*, Page 423. Section 12.

With war officially declared, then the principles of the Declaration of Independence held true;

> "Enemies in War, in Peace Friends."

With "war" declared, then Article III, Section 3, Clause 1 of the U.S. Constitution became especially relevant, which words read:

> "Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort."

It is interesting to note that if the Alien Property Custodian had returned property or money to an enemy individual or business during the course of the war in contravention to the Act, then he could have been charged with treason, and, if found guilty, summarily executed.

The Trading with the Enemy Act rightfully prevented private citizens and private companies of Germany (and later Austria and Hungary) from accessing their U.S.-based money or property during the war, wealth that could otherwise be used to aid their countries' war efforts against us. Although Congress delayed them access to their U.S.-based wealth, our government did not keep it. After the war ended, absent adverse claims, the money and property were returned to the owners, according to law.

So, this Act (which could not permanently deprive overt enemies of their U.S.-based property during a period of declared war), as amended, supposedly allowed a U.S. President to deprive American citizens of all of their gold permanently, leaving them irredeemable paper currency in its place?

There were no court cases, no indictments, nor even any charges or allegations of wrongdoing of any kind, before American citizens were summarily deprived of their gold.

With such differing outcomes that are contrary to all reason, in their hearts and minds, Patriots must innately realize that something extremely "funny" is going on with Roosevelt's decree (as compared with the cited Trading with the Enemy Act).

Yet, those same Patriots also know that millions of Americans gave up hundreds of millions of dollars' worth of gold and were effectively prohibited from owning and trading in gold for the next 40 years.

The best place to begin a proper inquiry into this contrary-to-reason historical phenomenon is by asking a simple question—Are the "persons" of the executive order who were commanded to deliver their gold to a private bank the same "persons" of the Fifth Amendment who cannot be deprived of life, liberty or property without Due Process of Law (and Just Compensation)?

Looking again at Section 2 of Roosevelt's Executive Order 6102 discussed earlier, one sees, after all, that:

> "ALL PERSONS are hereby required to deliver…(to a bank)…all gold coin, gold bullion and gold certificates."

But, as seen earlier, the Fifth Amendment details that:

> "NO PERSON shall be…deprived of life, liberty, or property, without due process of law."

Which is it, if the two are in contravention to one another?

Must a presidential directive give way to the supreme Law of the Land or does the supreme Law of the Land give way to a presidential decree?

Or, more importantly, the real question is—Is there perhaps some way that the two directives may actually be in agreement with one another, that neither one truly contradicts the other?

To begin the proper examination, it is important to notice that Section 1 of Roosevelt's gold confiscation decree specifically defines the term *person* "For purposes of this regulation."

The disclaimer "For purposes of this regulation" allows the term therein defined to mean something *entirely different* from its normal meanings in all other situations.

The disclaimer informs people to take extra care to understand exactly what the defined term means for its present purposes, in order to understand what is actually being commanded and especially of whom.

After all, the only people who were being commanded to deliver their gold to a bank were "persons" as specifically defined "For purposes of this regulation."

If one was NOT a "person" *as defined*, then he or she was NOT under any legal compulsion to deliver his or her gold.

To explain this principle further, an example helps to explain this process, which the Patriot Corps calls:

"Government-by-Deception-through-Redefinition."

Here is the sample case of using limited legal definitions for express purposes of deceiving others;

"For purposes of this example, *a pig is a dog*."

Thus, because of the directive given, the picture shown below is necessarily that of a "dog," *not* the pot-bellied pig one may think one sees.

Most people readily know that some breeds of dog have flat noses such as a bulldog, or short legs such as a Dachshund or “weiner dog,” but may now know that under special situations, dogs may also have cloven hooves and tusks.

While readers may think this example was merely hypothetical, below find the 1994 Vice-Presidential Order of then-Vice President Al Gore conferring the “Honorary Title” of “Dog” on “Harley the Potbellied Pig.”

VICE PRESIDENT OF THE UNITED STATES

NATIONAL PERFORMANCE REVIEW AL GORE

The Honorary Title of

Dog

is hereby conferred upon

Harley the Potbellied Pig

and all future members of the Portland Potbellied Patrol
conferred with the Federal rights and privileges
reserved for drug sniffing dogs.

By order of

The Vice President of the
United States of America

December 5, 1994

Al Gore

Thus, because of this Vice-Presidential order, a pig was called a “dog.”

This simple holding allowed the Portland Police Bureau to obtain federal funding that was available for drug-sniffing dogs to test whether pigs—legally held as dogs for this express purpose—could be effectively trained to sniff out drugs. Pigs, after all, are well known for their excellent olfactory sense, such as in the search for truffles.

Calling things by another name allows for a simple but effective means to bypass normal legal constraints as the need arises.

President Roosevelt's presidential order worked no differently than Vice President Al Gore's—the former was simply more obtuse in its workings, intentionally so.

Returning to President Roosevelt's deceptive decree, one sees that Section 1 explicitly defined "person" for "purposes of this regulation" to mean;

> "any individual, partnership, association or corporation."[7]

The first thing to compare and contrast is between Sections 1 and 2, to notice that "*All* persons" were being required to deliver their gold, but that "person" only meant *"any"* individual, partnership, association or corporation.

"Any" and "all" are not equivalent terms.

"Any" sets up an alternative situation—allowing for differentiation elsewhere—while "all" effectively means "every."

"Any" does not mean "every."

By clearly stating "*All* persons" had to deliver their gold—but holding "persons" to be only "*ANY* individual, partnership, association or corporation"—the *inclusive* word "All" effectively becomes substituted with a word allowing for *differentiation* elsewhere.

In other words, the *absolute* requirement of Section 2 became a *conditional* alternative via Section 1, without the determinate factor or condition actually being given within the executive order.

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7. *The Fublic Papers and Addresses of Franklin D. Roosevelt.* Vol. II, The Year of Crisis, 1933. Random House, NY. 1938. Executive Order No. 6102. Page 111 @ 112. www.archive.org/details/4925381.1933.001.umich.edu/page/n5

Thus, the difference between "any" and "all" was enough to keep the Decree of '33 from contradicting the Fifth Amendment.

While (any) individuals, partnerships, associations and corporations *could become* "persons" who may be required by Section 2 to deliver their gold to a bank, not all of them necessarily were.

Something *outside of this decree* would separately bind individuals, partnerships, associations and corporations to become "persons" with a legal obligation to deliver gold to a bank.

Therefore, the limited "persons" of Roosevelt's executive order number 6102 required to deliver their gold were NOT the same "persons" of the Fifth Amendment (defined without limitation) who are yet protected in their property.

Another simple question helps prove the inherent error, the integral contradiction of logic in the decree that cannot be evaded— Are the member banks of the Federal Reserve System "persons" for purposes of the decree?

Remember, "person" was explicitly defined *independently* in Section 1, *before* "All persons" were commanded in Section 2 to deliver their gold to "a Federal Reserve Bank or branch or agency thereof or to any member bank of the Federal reserve system."

That banks were made the places where the gold was to be delivered cannot by itself therefore remove or exempt them from the definition of "persons" in Section 1 as "any individual, partnership, association or corporation."

There are only two possible answers to that simple question, of whether banks are "persons"—either "yes" or "no"—either banks are "persons" or they are not "persons" for purposes of the executive order.

If banks *are* "persons," then some "persons" must deliver their gold to other "persons."

And, if this alternative applies, then nothing in the decree provides sufficient excuse why some *persons* may be lawfully deprived of gold while other *persons* may receive everyone else's gold.

Just because "All persons" were commanded to deliver their gold to named persons (banks) does not justify being summarily deprived of their property without Due Process of Law and banks being the persons able to reap the windfall.

Again, whatever separates these two opposing types of "persons" with opposing rights and duties is not found within the decree. A look elsewhere is thus necessary to differentiate between persons of such opposing legal rights.

And, if "banks" are "persons," the order should have stated "All persons but banks are required to deliver all gold to banks" or "Except for banks, all persons are required to deliver all gold to banks" (because "persons" were defined *before* "All persons" were commanded to deliver their gold).

Literally, the command for "All persons" to deliver their gold cannot be completed, because the banks didn't deliver gold anywhere. That "persons" were defined *before* they were commanded to deliver gold cannot exempt banks from the definition of persons (if "persons" are meant to reach everyone [which thus would include banks]).

The only other available alternative to the earlier question (Are banks "persons"?) is that member banks of the Federal Reserve System were *not* "persons" for purposes of Roosevelt's decree.

The important principle here would necessarily be that "person" does not necessarily include all individuals, all partnerships, all associations or all corporations—and if there is one un-named exemption, then there can also be others.

Again, in this case—as in every other case before-examined—*something else outside or beyond this decree* necessarily differentiates between the individuals, partnerships, associations or corporations *who are "persons" with a legal obligation to deliver gold to a bank.*

Thus, no matter how the question of whether banks are "persons" is examined or answered, the decree itself does NOT provide sufficient information to determine who is actually bound to deliver their gold.

With only the information provided within the decree, one cannot adequately determine exactly who are the "persons" required to deliver their gold.

Indeed, it cannot be *all* individuals, partnerships, associations or corporations, because banks are associations and/or corporations, also. Actually, the definition does not even limit associations or corporations to private ones, but extends to public associations and corporations without limitation (if the term "person" reaches to all).

Neither is it that everyone is commanded to deliver their gold to the U.S. Treasury or some other branch of the U.S. Government.

The answer to the question of what binds individuals, partnerships, associations or corporations to become "persons" with a legal obligation to deliver gold to a bank may be found in the Federal Reserve Act of 1913. It is not a coincidence that banks were made the location where "persons" had to deliver their gold.

First, note that Section 2 of the 1913 Act reads:

> "The shareholders of every Federal reserve bank shall be held individually responsible…for all contracts, debts, and engagements of the banks to the extent of…their…stock."[8]

It makes perfect sense that bank investors are being held individually responsible for their debts (at least to the extent of their bank stock). There is nothing unusual with this holding; such factors occur throughout the business world every day.

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8. Federal Reserve Act, December 23, 1913. 38 Stat. 251 @ 252. Section 2.

Next, note Section 16 of the 1913 Act says:

> "Every Federal reserve bank shall maintain reserves in gold or lawful money of not less than 35% against its deposits and reserves in gold of not less than 40% against its Federal reserve notes in actual circulation..."[9]

Here, one realizes that each Federal reserve bank had to maintain reserves "in gold" or "lawful money" of not less than 35% against customer deposits, to provide sufficient liquidity since customers draw frequently upon their money.

And, to back the Federal reserve notes that were at that time yet redeemable in gold, the banks had to keep reserves *in gold* of not less than 40% of the face value of the notes issued in their names.

Of course, the notes backed *as a whole* at 40% of face value were nevertheless all individually redeemable in gold, at 100%.

Therefore, anytime people brought more cash to a bank and wanted to redeem the cash for the gold they could still at that time demand, the demand for gold would directly draw on those 40% equity reserves. As anyone who speculates with leveraged money knows, in a downturn in one's position, equity vanishes quickly, such that it must be shored up in the most inopportune of times.

Section 16 went on to declare that:

> "The Federal Reserve Board shall require each Federal reserve bank to maintain on deposit in the Treasury of the United States, a sum of gold sufficient in the judgment of the Secretary of the Treasury for the redemption of the Federal reserve notes issued to such bank."[10]

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9. *Ibid.*, Page 266. Section 16.
10. *Ibid.*

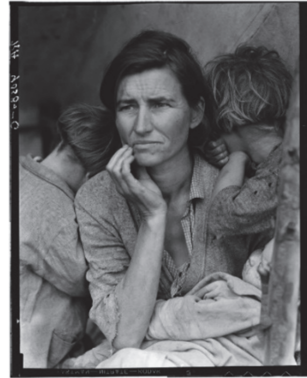
Here, one realizes that the Secretary of the Treasury is to act as the bank speculators' *broker*, who—in the Secretary's discretion—tells bank stockholders to bring more gold to back their falling equity and escalating liabilities.

Thus, the Secretary of the Treasury was simply the broker who would make a "margin call" on bank shareholders whose economic position went against them. The bank shareholders were told to infuse gold to meet minimum margins in the "bear" economy.

When bank customers were lining the streets in front of the banks—was it not proper for the Secretary of the Treasury's boss (the President of the United States) to begin the process to require bank speculators to shore up their falling equity to meet their over-extended liabilities?

Shouldn't corporate bank shareholders have been required to bring their gold to the banks, to meet the financial obligations they incurred by voluntarily buying bank stock and willingly taking financial risks for projected profits?

In the most corrupt fashion possible, however, the events that threatened the financial position of overextended bank shareholders were instead turned into a spectacular financial coup for the biggest of banking concerns, as those with extensive political influence pulled the strings of a crooked and immoral administration. Together, politician and financier, raked into their vaults all of America's gold, greatly deepening the financial despair of everyone else, for generations to come.



Roosevelt's gold confiscation strategy could not have worked without the unlimited power for the District of Columbia. Indeed, paper currencies already being made a legal tender were a necessary precondition to effectively "force" Americans to accept irredeemable paper currency in the place of their gold (because they didn't know that paper was a tender only for D.C.).

Of course, delivering the gold into the banks didn't yet reward their corrupt government partner.

Enter Phase II of the massive monetary swindle.

On January 30, 1934, President Roosevelt signed into law the Gold Reserve Act of 1934.

Section 2 (a) of the Act read:

> "Upon the approval of this Act all right, title, and interest, and every claim of…every Federal Reserve bank…in and to any and all gold coin and gold bullion shall pass to and are hereby vested in the United States; and…payment… shall be payable in gold certificates…"[11]

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11. The Gold Reserve Act of 1934. 48 Stat. 337. Section 2 (a). January 30, 1934.

Under the 1934 Act, the ownership to all "gold coin and gold bullion" passed to and became vested in the United States.

The government paid the banks for their physical gold with "gold certificates" (the same gold certificates "All persons" were supposedly prohibited from owning). Therefore, the government got all the physical gold, while the banks got all the gold *certificates*.

Although the government got all the gold coin and gold bullion, all they really had at that point was the *legal duty* to store it—at their risk of loss—because the banks at this point held all the ownership equity to the government's newly-acquired gold. After all, gold certificates are the pink-slip ownership titles to physical gold.

The very next day, January 31, 1934, President Roosevelt issued his Presidential Proclamation No. 2072, thereby proclaiming, ordering, directing, declaring and fixing "the weight of the gold dollar to be 15 and 5/21sts grains of gold nine-tenths fine."[12]

In other words, the day *after* the government took the ownership of all the gold coin and gold bullion that was collected from unsuspecting individuals and businesses, the government devalued the dollar from its 1837 standard of $20.67/ounce, dropping it to $35.00/ounce.

Thus, all the gold certificates which the day before had reached all the physical gold, the next day reached only about 60% of it. With that devaluation, the government thereby received its 40% cut in the gold confiscation debacle.

While the banks got the first $20.67-worth of gold value, the government received the difference from $35.00/ounce, or $14.33 for every ounce of gold the banks had collected.

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12. *The Public Papers and Addresses of Franklin D. Roosevelt*, Volume 3, The Advance and Recovery and Reform—1934. Random House, NY. 1938. Presidential Proclamation No. 2072. January 31, 1934. https://archive.org/details/4925383.1934.001.umich.edu/page/n5

Since the U.S. Constitution expressly vests only with Congress the enumerated power "To coin Money" and regulate its value, it was *not* the American Dollar that President Roosevelt devalued that day.

American Presidents may not exercise any of the delegated legislative powers the U.S. Constitution vests with Congress for the Union—American Presidents may only exercise the legislative powers that the State of Maryland ceded to Congress for the District Seat which has no guarantee of legislative representation attached to it.

Thus, the American dollar yet today remains gold and silver coins at its historic rates and purity, where every 25.8 grains of gold nine-tenths fine (23.22 grains of pure gold) equal one dollar, at an equivalent rate of $20.67 per ounce of fine gold (the legal rate for gold since 1837).

Meanwhile, the dollar of the District of Columbia may be—following the Act of February 25, 1862—paper currencies redeemable in gold.

The District dollar, may, after January 31, 1934, be redeemable in gold for banks at equivalent rates of $35.00/ounce and irredeemable paper currency for all others. And, after 1965, the dollar of D.C. may be base metal coins at historic silver rates.

Before leaving the discussion of the Gold Reserve Act, one more section should be mentioned—Section 5, which reads:

> "No gold shall hereafter be coined, and no gold coin shall hereafter be paid out or delivered by the United States: *Provided, however*, That coinage may continue to be executed by the mints of the United States for foreign countries in accordance with the Act of January 29, 1874...
>
> "All gold coin of the United States shall be withdrawn from circulation, and, together with all other gold owned by the United States, shall be formed into bars..."[13]

13. 48 Stat. 337 @ 340. Section 5. The Gold Reserve Act of 1934. January 30, 1934.

By this section, three points must be examined, which are that:

1. "No gold shall hereafter be coined…by the United States";
2. "No gold coin shall hereafter be paid out or delivered by the United States"; and
3. "All gold coin of the United States shall be withdrawn from circulation, and…shall be formed into bars."

The 1934 Act ominously appears to end all coinage of gold and pull it from circulation.

How may Congress, together with a complicit President, deprive Americans of their circulating gold coinage, when members have the express constitutional duty "To coin Money" and regulate its value?

Section 5, coupled with Roosevelt's executive order, undeniably cast a very dark future for gold. Indeed, private gold ownership in the United States was effectively prohibited for the next 40 years.

But, recall the Government-by-Deception-through-Redefinition trick, of *calling things by another name,* to bypass normal constitutional constraints.

Since the U.S. Government has repeatedly proven itself unworthy of our trust, it is important to scan the 1934 Gold Reserve Act for limited legal definitions, to give words a new and different meaning.

The Gold Reserve Act of 1934 does not disappoint. As usual, the definitions were buried deep in the devious legislation.

Section 15 of the 1934 Act reads, in part:

> "As used in this Act the term 'United States' means the Government of the United States; the term 'the continental United States' means the States of the United States, the District of Columbia, and the Territory of Alaska…"[14]

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14. *Ibid.*, Page 344.

Notice again that all-important disclaimer, *"As used in this Act…"*

With these five crucial words, Patriots must again be put on alert that no matter their understanding of the terms outside of this legislation, the terms therein defined must be used with their defined meaning to understand the true nature of the legislative Act.

Thus, one finds that when the term "United States" was used in the Gold Reserve Act of 1934, it actually meant only *"the Government of the United States."*

To reach the "States" of the Union, the term *"the continental United States"* had to be used.

Substituting the fully-defined term in the place of the cryptically-defined term, one may discover the true and correct meaning of Section 5, which was that:

> "No gold shall hereafter be coined…by *the Government of the United States*" and that "no gold coin shall hereafter be paid out or delivered by *the Government of the United States.*"

Because of the Gold Reserve Act of 1934, the Government of the United States was no longer going to strike gold coin or pay it out.

In other words, this legislation was the government's notice to all suppliers that if they wanted to do business with the government, that it would thereafter only pay out irredeemable paper dollars (those dollars that were legal tender in the District of Columbia [where the Government of the United States is seated]).

Further, the Government of the United States was going to melt all its own gold coin and bullion and form them into uniform bars.

Also, note, that Section 5 above specifically provided;

> "That coinage may continue to be executed by the mints of the United States for foreign countries..."

Again, substituting the correct meaning for the legally-defined term, one sees:

“That coinage may continue to be executed by the mints of the *Government of the United States* for foreign countries...”

The mint of the *Government of the United States* is not necessarily the mint of the United States, (which would have been worded in the Act, the “mint of the continental United States”).

The mint of the continental United States was not discontinuing the striking of its gold coin, or, if the mint of the Government of the United States was the only mint to operate thereafter, it could still legally strike gold coins for the continental United States (which was foreign to—or not the same as—the Government of the United States).

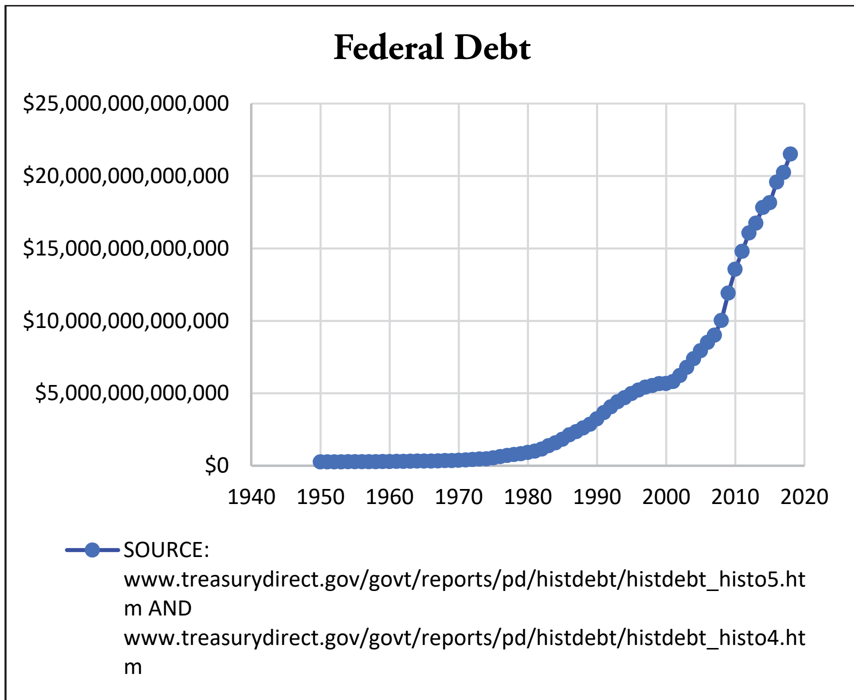
Americans were free to use gold, but when the coins got back to the government as its own receipts (to do with, as it pleased), the government pulled them from circulation and melted them into bars.

Calling things by another name provides paper tyrants an effective means of bypassing normal constitutional restraints, at least when two clauses of the Constitution offer federal officials and members of Congress an alternate source of authority virtually unrestrained from limitation.

While Roosevelt’s Decree of ’33 effectively deprived American citizens and private businesses of their gold, foreign governments and foreign central banks were still paid gold for their American government bonds they held.

However, on August 15, 1971, President Richard M. Nixon temporarily *closed the gold window*, prohibiting foreign governments and foreign central banks from collecting anything besides irredeemable paper currency for their U.S. Government bonds they held in their portfolios.

Thereafter, the dollar for the District of Columbia was severed domestically and internationally from gold, *at least for everyone beyond the biggest domestic bank shareholders who still owned gold certificates*. The value of gold per ounce as measured in paper dollars thereafter began to steadily climb, along with the federal debt.



Interestingly enough, the Par Value Modification Act of March 31, 1972, changed the legal relationship of gold to the dollar, reading in Section 2;

> "The Secretary of the Treasury is hereby authorized and directed to take the steps necessary to establish a new par value of the dollar of $1 equals one thirty-eighth of a fine troy ounce of gold."[15]

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15. Par Value Modification Act. 86 Stat. 116., Section 2. March 31, 1972.

Under Roosevelt's January 31, 1934 dictate, the dollar had been devalued effectively valued from $20.67/ounce, to $35.00/ounce. By President Nixon's 1971 severing of the dollar from gold internationally, it was supposedly freed from all direct ties thereafter. But, by Nixon's 1972 dictate—*after* his 1971 gold window closure—gold was interestingly being fixed at $38.00 per ounce.

Of course, it should be noted that American citizens were still ostensibly prohibited from owning gold (which restrictions were finally lifted in January of 1975).

Section 2 of the 1972 Act provided the express purpose for establishing the new tie for gold to the dollar, saying:

> "Such par value shall be the legal standard for defining the relationship of the dollar to gold for the purpose of issuing gold certificates pursuant to…the Gold Reserve Act of 1934."[16]

Thus, even after Roosevelt's Confiscation Decree of '33, even after Nixon closed "the gold window" in 1971 nominally freeing the dollar from any direct tie to gold, Congress and President Nixon explicitly yet acknowledged that for purposes of the gold certificates issued pursuant to the Gold Reserve Act of 1934, that the dollar *was still fixed*, now at the lower rate where every $38.00 of gold certificates were payable in one ounce of gold.

On September 21, 1973, Congress and Nixon again redefined the dollar for purposes of gold certificates, revalued to be $42.22 per ounce of gold. In other words, thereafter it took gold certificates worth $42.22 to be able to receive in return one ounce of pure gold.

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16. *Ibid.*, Pages 116-117.

The U.S. Government today still officially values its gold at $42.22/ounce—one may go to the *www.Treasury.gov* website and search "Gold Status Report" and find the book value and number of troy ounces of gold owned by the government and confirm that fact (by dividing the Book Value by the total number of Fine Troy Ounces).

Department of the Treasury ***Bureau of the Fiscal Service*** ***Status Report of U.S. Government Gold Reserve*** ***January 31, 2019*** ***www.fiscal.treasury.gov/reports-statements/gold-report/current.html***		
Summary	**Fine Troy Ounces**	**Book Value**
Gold Bullion	258,641,878.085	$10,920,429,099.23
Gold Coins, etc.	2,857,048.156	$120,630,858.67
Total	**261,498,926.241**	**$11,041,059,957.90**

$11,041,059,957/261,498,926 = $42.22/oz.

Of course, against this gold held by the U.S. Government are still many gold certificates owned by private shareholders of the Federal reserve banks.

Federal reserve banks are the entities Congress chartered under the authority of Article I, Section 8, Clause 17 for the District of Columbia, which own government debt (gold certificates) payable in gold at $42.22/ounce, but owe the public only paper (which are no longer directly redeemable in gold).

Federal reserve banks *own* the rights to gold but *owe* only paper.

The Federal reserve banks are the institutions chartered by Congress to separate Americans from their gold, to drive a firm wedge between the dollar and gold—for everyone else but banks.

Corrupt American officials and members of Congress have created a devious system to enrich the most powerful of men and women at the expense of everyone else.

It should be again explicitly stated that neither the Federal reserve banks, Roosevelt's Gold Confiscation Decree of '33, the Gold Reserve Act of 1934, Nixon's closure of the "gold window," nor the Par Value Acts of 1972 and 1973 would have been possible or permitted without Article I, Section 8, Clause 17 of the U.S. Constitution. It is only under that special authority where such inherent discretion is therein allowed, where members of Congress and federal officials may do as they please except where they are prohibited.

Separating the dollar from gold—at least for everyone but the biggest banks—removed a great many of the inherent impediments to higher federal expenditures. Federal debt escalated quickly.

Unfortunately, it is quite possible that the biggest banks intend the government's debts will be paid in gold dollars where every $42.22 of face value of debt brings them one ounce of gold.

In support of that theory, note that Nixon closed "the gold window" only "temporarily." What is done temporarily may end.

Then, one may examine old court cases. The concurring opinion of Justice Bradley in the 1871 *Legal Tender Cases*—which was the first case to uphold paper currencies as legal tender (for the District of Columbia)—after all, perhaps gives credence to such a current holding, with his words:

> "No one supposed that these government certificates are never to be paid — that the day of specie payments is never to return… Through whatever changes they may pass, *their ultimate destiny is to be paid."* [17]

While it is true that the paper currency notes to which he was referring were yet payable in gold—even as their payment in gold was suspended due to the Civil War—it is yet true that the Constitution figures all government debts are payable in gold or silver coin.

For instance, in the same concurring opinion, Justice Bradley also detailed that United States notes were "a *promise…to pay* dollars…not…to make dollars." [18]

And, *even the earlier court cases that ruled that paper currencies were not legal tender* nevertheless held government debt similarly. While the 1870 *Hepburn v. Griswold* court referred to *paper dollars* as "mere *promises* to pay dollars," [19] the 1869 *Bronson v. Rodes* court held that a "*note* dollar" was a "*promise* to pay a *coined* dollar." [20]

No matter how the court held paper dollars for purposes of legal tender, they all uniformly held that paper dollars were legal *promises* to pay *coined* dollars of gold or silver, the only things that are lawful tender under the U.S. Constitution for the Union.

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17. The *Legal Tender Cases*, 79 U.S. 457 @ 561-562. (1870). Italics added.
18. *Ibid.,* Page 560. Italics added.
19. *Hepburn v. Griswold*, 75 U.S. 603 @ 623 (1870). Italics added.
20. *Bronson v. Rodes*, 74 U.S. 229 @ 251 (1869). Italics added.

Again, it is true that the paper currency dollars of the District of Columbia no longer promise to pay coined dollars, at least explicitly and at least to the common creditor. However, it is also true that the U.S. Government has favored its largest banking benefactors at every turn in our tragic financial history.

No matter how the federal debts will ultimately be paid, however, that they are escalating beyond prudence is unquestionable.

Sadly, there is nowhere near enough gold to meet demands—however debts are ultimately figured—which means all the extensive assets owned by the U.S. Government will likely be reached come the inevitable Judgment Day.

To regain lost liberty and limited government under strict construction of the whole Constitution, Patriots must begin to question apparent truths which are not true, for false assumptions do not equal truth. Patriots must search out the answers to odd phenomena and peculiar conundra, to make sense of government nonsense found at every turn.

For more in-depth study, please see any of Matt Erickson's nine other public domain books found at the **www.PatriotCorps.org** website, available in online viewers, downloadable .pdf, .epub or .mobi formats, or royalty-free paperback copies (that are available directly from one-off printers).

The public domain books and newsletters at the website examine more deeply the issues and ramifications that were examined briefly in this book.

After reading all five chapters of *Understanding Federal Tyranny,* the Patriot Corps recommends readers again read Chapters 1 and 2—the two-part general overview.

Being able to fit the monetary particulars discussed in Chapters 3, 4 and 5 back into the broad understanding covered in Chapters 1 and 2 helps reinforce the general understanding and better showcases what needs to be done in the future.

Chapter 2 specifically details the needed cures to resolve the single political problem we face.

Simply put, Step 1 is to learn the answer to *The Peculiar Conundrum*—to understand the odd phenomenon of how members of Congress and federal officials have been able to bypass their constitutional constraints, with impunity.

Step 2 is then to broadcast that information far and wide, working toward the Once and For All Amendment to contain tyranny and/or the Happily-Ever-After Amendment to end tyranny.

God bless these United States of America and the Republic they founded.

Summation

Chapters 1 and 2 of *Understanding Federal Tyranny* provided a broad overview of how, exactly, members of Congress and federal officials have been able to bypass their constitutional restraints, with impunity.

While the U.S. Constitution empowers members of Congress and federal officials to exercise the enumerated powers throughout the Union using only necessary and proper means, Alexander Hamilton devised a clever strategy to bypass those strict constraints. Chief Justice John Marshall later became that strategy's chief proponent who carried it into fuller effect.

Both men sought to exploit an-otherwise-unrealized loophole in the Constitution, to extend the unlimited power meant for the District of Columbia instead throughout the Union. These two men simply held that since the clause that authorized the District Seat (Art. I, Sect. 8, Cl. 17) was part of "This Constitution," then even that clause would necessarily be part of the "supreme Law of the Land" detailed in Article VI, Clause 2.

The necessary implication of that simple holding—according to Marshall—meant that even the local, State-like powers that Congress could exercise for the District Seat would nevertheless "bind the nation" like all other clauses of the Constitution, even though those powers didn't come from all the States of the Union.

While all the States of the Union signed off on an exclusive legislative jurisdiction federal seat (by their ratification of the U.S. Constitution that had within it Article I, Section 8, Clause 17), the power behind the District came only from the "particular" States which ceded the land (Maryland, and, for a time, Virginia).

The unavoidable consequence of this holding meant that members of Congress and federal officials could now exercise their inherent discretion for the District Seat and indirectly extend it throughout the Union.

With tragic consequences, proponents of limited government sadly believed their opponents who asserted that progressive court opinions were able to redefine the words of the Constitution to authorize powers never-before-exercised.

Of course, no member of Congress or federal official—including supreme Court judges—who take an oath to "support" the Constitution, may ever stand superior to it. They may only exercise such level of inherent discretion *where* they have such power, which is in and for the District Seat.

While government servants found a clever way to become our political masters, their precarious structure stands on a foundation of cards which cannot withstand close examination.

Indeed, in order to exploit their clever loophole as the fount of unlimited power—proponents must keep secret that foundation from advocates of limited government. That is because once Patriots understand this clever constitutional-bypass system and its necessary ramifications, they may easily begin to take the appropriate steps to contain that reign of absolute tyranny to its rightful geographic constraints or end it, everywhere.

After all, just because there are no *existing* words in the Constitution that expressly exempt Clause 17 from being part of the supreme Law of the Land wording of Article VI, doesn't mean that such clear words cannot be added by a simple amendment.

To prove true the general outline provided in the first two chapters, Chapters 3, 4 and 5 "followed the money," to show how this clever loophole worked in the corruption of our circulating lawful tender that was once only gold and silver coin.

Chapter 3 examined the Coinage Act of April 2, 1792, to show that lawful tender money for the Union is—or at least was initially—only gold and silver coin.

Chapter 4 then examined the clever diversion away from that initial monetary foundation of gold and silver coin as the 1871 Legal Tender Cases upheld the paper currencies of 1862 as legal tender.

But, Chapter 4 showed that paper currencies were upheld as legal tender only under the power for the District of Columbia, an exclusive-legislative area that isn't a "State" that is expressly prohibited by Article I, Section 10 from coining money, emitting bills of credit, or making anything other than gold and silver coin a tender in payment of debts.

Although members of Congress may only use necessary and proper means to implement the enumerated powers for the Union, those same members of Congress may alternatively do whatever is not prohibited them under their power for the District Seat that was ceded only by the particular State of Maryland (and, through 1846, Virginia).

Without a specific prohibition against emitting bills of credit or declaring them a tender under the power for the District Seat, members of Congress were able to do under the District Seat power that which they had no means or power to do for the Union.

Chapter 5 examined President Franklin D. Roosevelt's 1933 gold "confiscation" decree, showing it likewise to be but a masterpiece of deception and trickery. The executive order required only those "persons" who *already* had an existing legal obligation to deliver their gold to a bank—bank shareholders—to deliver their gold when their equity fell below minimum margin requirements.

No one else was a "person" for the purposes of the regulation.

After finishing all five chapters, readers are encouraged to read again Chapters 1 and 2, to relate the monetary particulars back into the general mechanism of constitutional bypass, to understand better how to Restore Our American Republic, Once and For All and/or Happily-Ever-After.

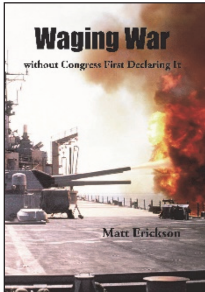
About the Author

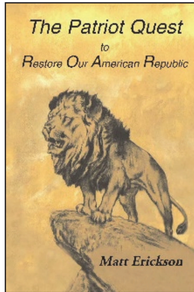
Matt Erickson, past-proprietor of several failed businesses, is an office clerk. He lives in Quincy, Washington, with his wife, Pam. He has two step-children and eight grandchildren.

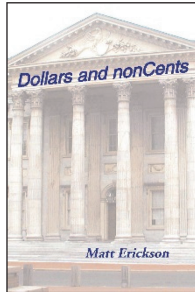
Erickson is the founder and president of the Patriot Corps and also the Foundation For Liberty (www.FoundationForLiberty.org), the latter of which is a 501(c)(3) non-profit, tax-exempt organization.

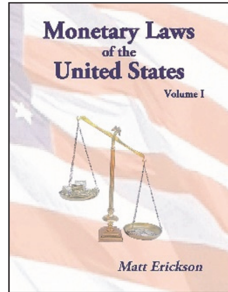
Public domain books by Matt Erickson at www.PatriotCorps.org:

Non-Fiction Books:

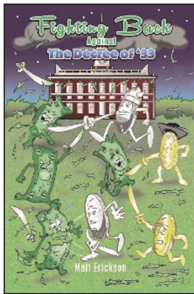


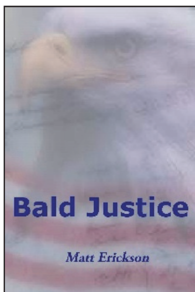


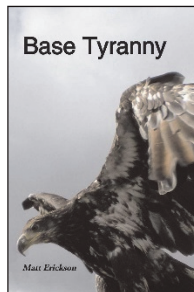




Fiction Novels (easier-reading than the non-fiction books):







Most of these books cover much the same information as one another—in varying lengths, depths and from differing perspectives—to offer a variety of avenues to instruct a variety of readers on how government operates beyond normal constitutional restraints, so we may Restore Our American Republic, Once and For All &/or Happily-Ever-After.

Understanding Federal Tyranny begins with a two-chapter overview, to provide a general framework to explain how government servants effectively became our political masters.

Then, the last three chapters "follow the money" to prove true the outline in a specific case (the case of how our lawful money of gold and silver coin was effectively replaced with irredeemable paper currency).

Understanding Federal Tyranny answers The Peculiar Conundrum—the odd phenomenon of how members of Congress and federal officials are able to bypass their constitutional restraints, with impunity, despite the chains of the Constitution otherwise.

By accurately diagnosing the cause of that single political problem (which has a 1,000 irrelevant symptoms) and applying the appropriate cure, Patriots may finally Restore Our American Republic, Once and For All and/or Happily-Ever-After (the nicknames of the two amendments herein proposed).