TREASON

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such for three years past in the Supreme Court of the State to which they respectively belong ... ."[2] That was the beginning of government by lawyers.

It was supposed to be a government of the people, so with the advice and consent of the Senate, the President had appointed Justices of the Supreme Court. No other Constitutional qualifications or limitations exist for those who would be a Judge. The Supreme Court had to accept any person whom President Washington had appointed to be a member of that Court. If Judges, nominees by the President, weren't required to be lawyers - those who practice before the Justices certainly did not have to be. The word lawyer, and the qualification for them doesn't appear once in the Constitution. For good reason, the Constitution does not authorize the Courts to make rules for conducting its business. But as its first business, the Jay Court brazenly and unconstitutionally made and adopted Rules "as to the form of writs and as to the admission of counselors and attorneys."[3]

The people had ratified the Constitution because it clearly provided that a lay person would be the elected President and lay people would be the elected members of Congress. Most importantly, lay people would sit as judges on the Supreme Court and the people in general would sit as judges on every Grand and Trial Jury Body. The Jay Court made rules that were copies of British writs and also admitted "Officers of the Court" who would obediently follow British writs. So the Supreme Court that was supposed to protect the American people from a Congress or President who would violate the Constitution became the biggest threat to the new Constitutional system of and by the people. The Supreme Court in one stroke, in the beginning, denied forever the American people a proper and honest Judicial forum in which they could challenge and obtain Constitutional redress without the intercession of high-priced lawyers and complicated self-serving rules.

In order for the reader to see the extensive damage done by the First Supreme Court, let's continue on with the action of that Court. On February 8th, 9th and 10th, "the only business transacted was the admission of sixteen further counselors and seven attorneys. Of the nineteen counselors admitted at this first Term ... two were Senators and nine were Representatives present in New York attending the First Congress." An Anti-Federalist publication stated: "It is alarming to find so many Members of Congress sworn into the Federal Court at its very first sitting in New York. The question then is whether it is proper that Congress should consist of so large a proportion of members who are sworn attorneys in the Federal Courts ... ."[4]

The question raised above can best be answered by a careful reading. The Constitution's Article I Section 6. last phrase of Clause 2 states: " ... **no person holding any office under the United States shall be a member of either House during his continuance in office."**

The foregoing provision of the Constitution was a modification from a similar provision contained in Article V of the Articles of Confederation which, in its last clause states: **nor shall "any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fee or emolument of any kind."** The words "fee or emoluments" were purposely omitted from the new Constitutional provisions. The reader should be convinced about the unholy connection between a lawyer in government and his law firm. Lawyers and their fees have always been a threat

[2] Charles Warren, "The Supreme Court in United States History," Vol. One p. 49

[3] Charles Warren, "The Supreme Court in United States History," Vol. One p. 49

[4] Charles Warren, "The Supreme Court in United States History," Vol. One p. 50

to the fair and honest working of the American Constitutional system. The members of the Jay Court were aware that House and Senate members they admitted and swore to practice as an "officer of the Court," had previously taken another oath as a member of Congress. The taking of two oaths by lawyers, allows them to enact laws favorable to the Judiciary. All challengers to those engaged in this serious violation of the separation of powers would have to appeal to a lawyer-dominated Supreme Court to end this cardinal violation. But remember, the Supreme Court itself was the first to violate Article I Section 6. Clause 2. Can anyone expect the Supreme Court to give an honest redress to a petitioner who would seek a lawful separation of powers? Both Houses, on February 5th, 1790 did not discharge the first of its own members who chose to be "Practitioners before the Bar." Today, both Houses are dominated by "officers of the Court" who were admitted, in violation of Article I Section 6. Clause 2.

In hundreds of complaints over the last 50 years, this author wanted to argue in support of a separation of powers, so I intentionally petitioned both Houses and the Supreme Court to no avail. Without a separation of powers, meaningful checks and balances are an impossibility. This, the American people can prove to themselves.

On September 23, 1790 the *Independent Chronicle* asked if "it is prudent to trust men to enact laws who are practicing on them in another department. Let common sense answer. If Congress does consist of practicing attorneys, the laws enacted may, in a great measure, depend on the particular causes such individuals may have to manage in the Judiciary; this being the case, the property of the people may in a few years become the sport of Law-Makers acting in the capacity of interested attorneys."[5] Think Microsoft, tobacco and guns for starters.

To avoid questions or challenge, the lawyers who dominated the Philadelphia Convention in 1787, purposely omitted the oath that was to be taken by members elected to the Congress. Without the taking of a Constitutional oath by its own members, the First Congress was not authorized to commence any duty or Constitutional function whatsoever. Furthermore the Constitution does not provide a stated and explicit number of Supreme Court Justices that were to be appointed to the First Supreme Court Bench, nor was there a Constitutional oath that the Supreme Court Justices were required to take before they entered upon their duties. The Founders promised the people there would be three departments of government and each was to be a check upon the other. So from the very first day of doing business, a Supreme Court had to be sitting and available to the people to challenge any unconstitutional act by Congress or the President. The Founders betrayed the people. A Supreme Court was not made available for eleven months. During that time, the Congress and President Washington were engaged in the usurpation of key Constitutional processes and Bill of Rights provisions. The following are examples.

Under the new Constitution, the very first law enacted was on June 1st, 1789 when Congress passed the Oath Bill. President Washington, badly influenced by the many lawyers in the First Congress, signed the Bill into law. Washington was not authorized to sign the Oath Bill. He knew that members of the House and Senate, while not under a Constitutional oath, had been doing business since April 6th, 1789 when both Houses first achieved a quorum. For months, Washington was fully aware that a Supreme Court would purposely not be made available to the people to challenge the First Congress, and his own unchecked usurpation. He disregarded the Constitution and continued to unconstitutionally sign bills into law for eleven months. During that eleven month period, the Consti-

[5] Charles Warren, "The Supreme Court in United States History," Vol. One p. 50

tution was drastically changed from a document that was to be run by a Court and Congress operated by lay persons into a system run by lawyers. The American people fought the Revolution to rid the government of the English system and all its lawyers. The people believed, under the new Constitutional system, lawyer prosecutors, lawyer judges, and just plain lawyers would no longer be tolerated. But the lawyers and money trusts, who support each other, would not surrender their tenacious grip on the powers of all three departments of government. The Judicial Power would not be the weakest, as Hamilton had falsely informed the people in #78 of the Federalist Papers. Judicial officers would instead gain and hold control of all three departments of government.

The First Congress ignored most of the worthy proposals submitted to its body by the Ratifying Conventions, to limit powers of the federal judiciary. Without a Supreme Court sitting and available to the people, the First Congress committed the ultimate tyranny. It submitted the inalienable rights of the people as an amendment to be ratified by the State Legislatures.

It was all a part of a treasonous plot. The lawyer-dominated State Legislatures would purposely delay "ratification" of the Bill of Rights for twenty-seven months. That would give the newly established Jay Court the time to re-establish the British judicial system that the American people had suffered and died in overthrowing.

The Bill of Rights cannot serve as an Amendment to the Constitution. As an amendment, the Bill of Rights would become a part of the Constitution subject to scrutiny of the Congress and rulings by the Judiciary. Inalienable rights cannot be transferred from the people and placed under the jurisdiction of the government. Under the influence and dominance of the Congress and the Courts, instead of the people, our Jury system has become incapable of upholding our rights.

The American people did not gain a Bill of Rights after three-fourths of the State Legislatures ratified them on December 15th, 1791. The sovereign people were instead tricked into giving up direct control of their inalienable rights.

When the first lawyer was admitted by the Supreme Court in February 1790 to become an officer of the Court, he was required to take a Judicial oath to honor and uphold the Constitution. Therefore he could not be elected or enter the Congress to take a second oath, in violation of Article I Section 6. Clause 2. And if he was already a member of Congress, he would be required to give up his seat when he became a sworn member of the judiciary. As an inferior officer of the Court, a lawyer cannot be a member of either House. As a Congressman, he is required to perform the Constitutional function of disciplining or impeaching Judges, US Attorneys, and other high Judicial officials. He is in conflict because judges, and the above named officials are his superiors when he is engaged in the practice of law. As a Congressman, a lawyer can also profit from the laws he makes. The US Constitutional system requires a strict separation of powers. For two centuries lawyers have denied that separation and have been in complete control of the three branches of government and every department of government - federal, state and local - that as Madison stated in #47 of the Federalist Papers "is the essence of tyranny."

Treason is Common Under the Rules of Lawyers

In an honest governmental system the Constitution would only be properly altered by amendment not by law or Court decree. For over 200 years, the Constitution has been amended mostly by usurpation. Our schools wrongfully teach that there are so few amendments because the Constitution is a living flexible document - changed by interpretation.

Supreme Court Justices were appointed by Washington in September 1789 but its members did not sit as a Court until February 3rd, 1790. During that critical time, the people were purposely denied a judicial forum in which they could have challenged all the wrongful Acts of the Congress and the President. Also during that period, the members of the First Congress, and President Washington assumed powers of a sovereign. They rejected all of the proposed amendments from the State Ratifying Conventions that would limit judicial power. For example, the Ratifying Convention of Virginia proposed an amendment which was to take from Congress the power to create federal courts inferior to the Supreme Court other than Courts of Admiralty. The New York Convention submitted an amendment which was to limit the jurisdiction of the inferior courts of the United States to the trial of cases of admiralty and maritime jurisdiction, and for the trial of piracies. Two of the State Conventions had proposed amendments which would have prohibited a judge of the Supreme Court from "holding any other office under the United States or any of them." [6] These amendments were rejected.

All the tampering with the Constitutional system caused a disastrous calamity that has plagued America for two centuries. The amending provision of the Constitution requires a two-thirds vote of both Houses which then must be ratified by conventions of people in three-fourths of the States. The people would never have consented to the First Judiciary Act if it was properly proposed as an amendment. The First Judiciary Act denied the people full participation in both the Judicial and Executive powers. Today, 800,000 lawyers in the US, without any Constitutional authority whatsoever, are in complete command of a government consisting of 280 million Americans. The people have allowed themselves to be enslaved for lack of knowledge.

By the silence of the courts the First Congress, aided by the President, denied government by the people and instead established a government of, by, and for lawyers. The Constitutional oath of office requires the President to "preserve, protect and defend the Constitution of the United States." By an unauthorized "constitutional" oath drafted by the First Congress, every Congressmen swears: "I will support and defend the Constitution of the United States." By an oath enacted by the same Congress, a judge must swear: "I will faithfully and impartially discharge and perform all duties incumbent on me, agreeably to the Constitution and the laws of the United States." **Notice the key, and most essential word "obey" is deceptively not contained in any of the three oaths.** In order to deceive the people, every detail, even the solemnity of the oath, was contrived and planned to become a meaningless gesture by "Constitutional" officials.

Most Constitutional historians have been lawyers and none well presented the truth to the American people. Two non-lawyers were exceptions. In his book *Economic Interpretation of the Constitution* (1913) Charles Beard exposes the true motives of the Founders. In 1912 author Gustavus Myers, in his book *History of The Supreme Court* objectively researched and presented facts about our Founders that other historians never made public. Page 211, second paragraph, briefly explains how the rich and powerful have gained and held power for over 200 years:

> "Between the large landholders and politico-capitalists of both political parties there was, in action, only a fine exoteric difference of purpose. In words they might take violent issue with each other, but in deed they stood staunchly together. Both indiscriminately joined in granting the other great tracts of public land, and bank,

[6] American Historical Association, The Year 1896; Vol. II, pp. 153-154

canal, turnpike, insurance and other charters. In political creed, as affecting their own economic interests, or those of their particular or sectional constituencies, they often had cause to differ, out of which differences grew what seemed to be overshadowing issues involving the very fate of mankind. But while such of the working class as were enfranchised were duped into supporting one side or the other, the leaders of both political parties obstinately refused to pass any laws ameliorating the condition of the workers, at the same time using legislation to manufacture laws vesting in themselves enormous and perpetual powers and privileges." To this day nothing has changed.

Lawyer officials were often involved in treasonous conduct, but never has one been charged and convicted of treason. They made sure they would never be charged and convicted by inserting in Section 3. Clause 1 of Article III of the Constitution a limitation to the meaning and execution of the provision dealing with traitors. It states:

> "Treason against the United States shall consist **only** in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or in confession in open court." (Emphasis mine).

Think about this. Since all officials have never been under a "Constitutional" oath that commands **obedience**, nor a provision that would cover a broad and general meaning of the word treason, our Founders and those who followed have had unlimited opportunities to escape charges and punishment for many treasonous acts against the American people. For example, neither the President nor any other Constitutional officer was officially questioned and indicted by a Grand Jury or impeached by the House when the *Philadelphia Aurora* published the following serious charge about President Washington on December 23, 1796:

> "If ever a nation was debauched by a man, the American nation has been debauched by Washington. If ever a nation was deceived by a man, the American nation has been deceived by Washington. Let his conduct then be an example to future ages. Let it serve to be a warning that no man may be an idol, and that a people may confide in themselves rather than in an individual. Let the history of the federal government instruct mankind that the masque of patriotism may be worn to conceal the foulest designs against the liberties of people."

The Constitutional and Bill of Rights system falsely devised and administered by the Founders was operating as they hoped and expected. None of the impostor US Attorneys for the government, nor the impostor US Attorney General (all appointees of President Washington) took official action on the traitorous charge made public by the *Philadelphia Aurora*. The publisher, no doubt, intended that treason would be charged. But even if the House did vote impeachment, the impostor judges, appointees of the President, would not permit a treasonous charge against the President to go to trial in the Senate because treason could only Constitutionally be charged by levying war, or giving aid and comfort to the enemy.

As an additional protection for Constitutional officials caught up in a treasonous act, the founding lawyers added the following to the treason clause: **"The Congress shall have power to declare the punishment of treason ... ."** If the people independently did indict and convict any official on treason charges, the Congress alone would have to declare the punishment. But the Congress could refuse to declare the punishment and set the verdict aside and proclaim the Jury

or the Court did not properly follow the treason provision as provided by the Constitution.

The last sentence of Article III Section 3. Clause 1 " ... No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court." Two witnesses: Why not, one witness with overwhelming supporting evidence in confession in open court: Why is only a judge in open court entrusted with this vital power? A person who confesses to a Grand Jury an act of treason and is then indicted, tried and convicted by a Trial Jury has had his guilt decided by people. With the presentation of the Bill of Rights (December 15th, 1791), Constitutional provisions dealing with treason were supplanted. Bill of Rights powers of the people supercede.

The Founders did everything possible to prevent impeachment of anyone engaged in treason. Since the Founders were involved on a daily basis in a treasonous deception, they had to find a way to prevent indictment and conviction by the people of a treason charge against any Constitutional official. They accomplished this with the help of Article I Section 6. Clause 1, which states: " ... They [Senators and Representatives] shall in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place." (emphasis mine)

The above, and other self-serving Constitutional provisions were designed to prevent exposure, arrest and prosecution of our usurping officials.

Members of reform organizations should become more knowledgeable about the deficiencies of the oath and treason provisions of the Constitution. All information presented in this document is intended to better educate officers and members of organizations seeking reform. For example, I am a member of many organizations, including FIJA (Fully Informed Jury Association). The two original founders came up with a great idea to better the Jury system. Presently the leadership may be well-intentioned but far from being fully informed themselves about Constitutional shortcomings and the treasonous actions of Constitutional impostors who insist that we work within the system; indeed a rigged system that is corrupting Constitutional process and perverting the Bill of Rights. People are not aware that the accumulation of all governmental powers in the same hands "is the essence of tyranny." All branches and departments of the Federal, State, and local governments are in the hands of lawyers. It is the lawyers, and the people, who vote them in who are totally responsible for excessive taxation, crime, corruption and unbearable debts.

But I am getting too far ahead of the reader. Let me take you back 200 years to show how our fraudulent Constitutional history started: In the colonies, under English Rule, crown lawyers had legal status. Under the Articles of Confederation there were no federal courts so lawyers had little status. The State legislatures elected delegates to a Continental Congress that made, administered, and in some rare cases, adjudicated the law. Prior to the Revolution, the States had courts administered by Crown lawyers, judges and prosecutors. After the War, a central court did not exist, nor did a chief executive. Lawyers realized if they were to weal controlling power over the people and States, the judicial power of the United States had to be vested in one Supreme Court working in conjunction with inferior courts. Former Crown lawyers, then serving as Governors, Legislators, Judges and administrators wanted to return to the three departments of government, but with a President instead of a King. Wealthy supporters, knew it was first necessary to repeatedly fault the government of the Confederation before they could get the people to believe it should be replaced. That was easily accomplished because lawyers, in their various roles, often met, dealt and

socialized with wealthy businessmen, merchants, shippers and bankers. They planned and worked together to create laws and legal rulings that would cause frequent arguments between the States over commerce and the taxing of goods that passed between them.

Within a short period of time, those falsely planned grievances were publicly made against the inefficiencies of the Confederation. Lawyers and their wealthy clients soon called for a Convention to meet in Philadelphia to revise the Articles of Confederation. But they had no intention of revising the Articles. In its place, even before the Convention had assembled, leaders secretly and craftily drafted plans for a central government modeled after the British system in which lawyers would dominate the making and enforcement of laws along with a system of courts that would be ruled by judges (lawyers wearing robes). The First Congress, supported by the President, created a Supreme Court that in no way could be claimed to be Constitutional. John Jay was appointed to be the first Chief Justice. The Jay Court cited the need of a separation of powers, but never itself respected separation of powers. An example of the Court's contempt of separation of power can be observed by Chief Justice John Jay's, acceptance of President Washington's nomination to become Special Ambassador to England, while at the same time holding the position of Chief Justice.

The Duplicity of John Jay

After the Revolutionary War, the British justified their maintenance of garrisons in American territories on the ground that legal obstacles had been raised against the recovery of pre-Revolutionary debts. Chief Justice Jay, assigned to England to be the treaty maker, was to look after his own, as well as the financial interests of clients and other wealthy men and lawyers. Because of the separation of powers, the US Senate had the obvious duty to reject the confirmation of the sitting Chief Justice (John Jay) to prevent him from also becoming a Special Ambassador to Great Britain, to arrange a treaty. The remaining five Supreme Court Justices did not protest and declare Jay's appointment unconstitutional. The President, Senate and House were all in violation for allowing the appointing, confirming and funding of the Chief Justice to hold two incompatible Constitutional offices at one and the same time.

Jay's violation wasn't the only obvious affront to the Constitution. From 1799 to the end of 1800, Chief Justice Oliver Ellsworth, also in violation of the separation of powers, served as an envoy to France, providing one service, but receiving two salaries. This same abuse and violation continues in recent time. Chief Justice Earl Warren accepted a commission to head an inquiry into the assassination of President John F. Kennedy. Federal and State Grand Juries of people working in conjunction with each other would have done better in arriving at the truth. Grand Juries were the only organized authority.

The worst violation came before the Constitutional fiascoes by Jay and Ellsworth. In September of 1789 Jay and five associate Justices had accepted their appointments and were confirmed by the Senate to the first Supreme Court bench. All Justices were aware that for the first six months of the new government, before they were appointed or had taken their seats, the First Congress and President Washington had engaged in an enormous fraud against the people. They had been enacting and administering laws in violation of the separation of powers commanded by the Constitution. Before the justices finally took their seats the American people had been denied for eleven months a third department, a judicial forum, in which they were promised the right to challenge any weakness or flaw in the new Constitution that was overlooked in the ratification and implementation of the new government. Lawyers appointed to the First Supreme Court were duty-

bound to decline the nomination. Every Justice knew if he accepted his nomination he would be used to further assist the Congress and President in completing the corruptible usurpation that was still necessary to make the Constitution operable in its ability to serve as the supreme law of the land.

A Proper Constitutional Oath

Before they enter upon their duties, the Justices of the Supreme Court are required to take a Constitutional oath. A proper Constitutional Oath for Justices would read as follows: *I_____ do solemnly swear (or affirm) that I will honestly and properly execute the duty of Justice of the Supreme Court and will faithfully obey the Constitution of the United States.* If the reader would examine the Constitution, he/she will discover that there isn't nor never has been a Constitutional oath during the last 211 years, that the Justices, were required to take. Therefore the Justices were without authority, in September of 1789 when they accepted from the Congress and took the following oath: "I _____, do solemnly swear or affirm, that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as ____, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States. So help me God."

The above oath was drafted by the Congress with the approval of President Washington. It can best be described as insincere and meaningless. Since it was not a provision of the Constitution and did not contain the word "obey", the oath could not properly be invoked because it could not serve its intended purpose.

Many facts will be revealed in this document that are unknown to most Americans. For instance, on September 12th, 1787 ten States present at the Philadelphia Convention unanimously voted down a motion that a Bill of Rights be **prefaced** to the Constitution. The provisions of the Bill of Rights are, and always must be indubitable, inalienable, indefeasible and insuperable. In that order, it means - the powers of the Bill of Rights are unquestionable and cannot be transferred or taken away, nor can they be annulled, made void, forfeited, overcome, repealed or passed over. The Bill of Rights therefore must be regarded with the same respect and reverence accorded sacred things and must be guarded with our lives.

The provisions of the Constitution are not inalienable and can be changed or repealed by amendment approved by the people. So in December 1791 the time of the improper and belated introduction of the Bill of Rights, some provisions of the Constitution itself were required to be deleted or amended because they were in contradiction to the Bill of Rights. Only then would the Bill of Rights be an effective check in the hands of the people. The Bill of Rights, not the Constitution - had to be declared and judged as the supreme law of the land. To be a direct and effective people's check on Constitutional officials, the Bill of Rights had to be separate from and supreme over the Constitution. In that way, lawyers would not have been able to usurp and assume command of all three departments of government. Nor could they have falsely placed their fellow lawyers as judges, attorneys general and prosecutors in commanding positions over the people. In time, better educated people will realize what lawyers have done. They will then speak out in certainty that "We the people" are the sovereign authority. We are the real rulers and judge of the Bill of Rights - the supreme law of the land. The Constitution is a mere plan of government and a false one at that. Courts will not seriously look to protecting people's rights. Only Grand and Trial Juries are authorized in every individual case to sit in judgment of a person's rights to guarantee that protection.

Before the people in the State Conventions had

ratified the Constitution on June 21, 1788 they extracted a promise from the Founders that the First Congress would assemble, without duplication, a list of rights forwarded by the conventions of people. The Founders had, on September 12th at the Philadelphia Convention, unanimously rejected the motion that called for a Bill of Rights. The lawyers in control of the First Congress were dishonest. They did not recall the ratifying conventions so their former members could see if the proposed rights and amendments had been properly followed up and completed.

The Founders often spoke of the necessity of a separation of powers but in reality never maintained a Constitutional separation between the three powers. Examples: The executive power was vested in the President. But the Founders also made the President the most powerful law-maker in giving him the veto power. Before becoming a law, every bill must be presented to the President for his approval.

Another example would be the making of treaties. A treaty is a powerful law made by the President which only requires the approval of as little as thirty-four Senators. A treaty can be designed to bring on aggression and sometimes cause war.

In the beginning the People demanded, and the Founders agreed, a Bill of Rights would be an extra and direct check upon corrupt or abusive Constitutional officials. Because the Bill of Rights is a check upon all Constitutional officials, it is therefore superior to the Constitution itself. Therefore, the Bill of Rights is the supreme law of the land. To be effective, the Bill of Rights had to be completely separate and apart from the Constitution. But at the Convention, the President had been given the Constitutional authority to grant pardons. Under the authority of the Bill of Rights, the People on Grand and Trial Jury bodies have the power to indict and convict anyone who commits a crime. A pardon by the President would deny the sovereignty of the American people. The Constitutional pardon was meant to be the extra safeguard for officials or political leaders who could be convicted on treason or other serious charges.

In England the King is the sovereign authority and being sovereign, he could grant pardons.

In America the People are the sovereign authority, therefore it must only be lay people on a special commission who shall have the power to review cases and grant pardons, but only in cases of persons who suffer an injustice under the system.

When the People's Bill of Rights was recognized on December 15th, 1791 the President's power to pardon was automatically voided. The act of sovereign people who indict and convict a law-breaker is not to be set aside by a President - an agent elected and paid by the people. It is treason against the people when officials make a self-serving claim that a Presidential pardon is an absolute power and must be upheld. Nonsense! Before the people would ratify the Constitution, they demanded a Bill of Rights to be their direct check against Constitutional abuse. This protection was provided in Article IX of the Bill of Rights. It states: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

Presidents too often abuse the pardoning power for political or monetary gain. President Clinton pardoned Marc Rich, a criminal fugitive to Switzerland for seventeen years, of tax fraud charges. This wealthy man had donated vast amounts of money to the political campaigns of both President and Senator Clinton. President Clinton has been lobbied to dismiss the charges or to issue a pardon. The giving of this money and the acceptance of it by the President, who issued a pardon in return, involved both in the criminal act of bribery. A criminal who is permitted to grant a pardon to another who is involved in the same criminal act would make all public officials a party to the crime.

Early on in our history, an independent Grand Jury would have immediately investigated and indicted

both. One would expect the US Department of Justice to investigate and prosecute such flagrant examples of bribery. But not so! In fact, it is the Department of Justice that stands in the way of enforcement of the law. I would propose that to be successful in seeking reform now the people of both political parties must join forces to repeal the act of June 22nd, 1870 to rid the government of the US Department of Justice. This Department has been an ideal place to cover-up corruption by members of the legal profession.

Taxpayers pay billions in salaries and upkeep to hundreds of thousands of lawyers in the Justice Department to cover-up the criminal acts of lawyers be they Presidents, Congressmen, Supreme and inferior Court Judges and of course many former Attorneys General who have committed or covered-up horrendous crimes against Americans on a daily basis. Think about it. Our Constitutional officials routinely commit treason against all of us but none of them are ever brought to justice for their treachery.

The members of the First Congress, in their unauthorized First Judiciary Act stated "all the said courts of the United States shall have power ... to make and establish all necessary rules for the orderly conducting [of] business in the said courts provided such rules are not repugnant to the laws of the United States." But what if a rule is destructive to the Constitution or Bill of Rights? For example, on July 18th, 1793 George Washington and his cabinet submitted twenty-nine questions to the Supreme Court. A letter sent with the questions stated: "These questions depend for their solution on the construction of our treaties, on the laws of ... nations and on the laws of the land ... . The President would therefore be much relieved if he found himself free to refer questions ... to the opinions of the judges of the courts of the United States whose knowledge of the subject would secure us against errors dangerous to the peace of the United States ... ."

With all six Supreme Court Justices present the Jay Court heard the question and ruled that the Court could not give official consideration to any case or question unless it was brought before the Court "in due judicial course." But that ruling was repugnant and destructive to certain provisions of the Constitution. It allowed the Supreme Court to avoid embarrassing Constitutional questions that it is duty-bound to make and declare.

A case in point - Congress early on refused to remove and disqualify the corrupt among themselves even after some of them had committed treason, the most serious of crimes. On July 3rd, 1797 the House was informed by President John Adams of the traitorous activities of Senator William Blount, a former member of the Constitutional Convention. Senator Blount had "become involved in financial difficulties and entered into a plan to launch an attack by Indians and frontiersmen in cooperation with a British fleet, upon Spanish Florida and Louisiana for the purpose of transferring the control of those provinces to Great Britain."[7] Blount's action was a serious crime and the people were entitled to be publicly informed about such actions by a US Senator at an impeachment trial. Article II Section 4. provides such a procedure: "the President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors." Senator Blount should have been made to answer for his crimes through the impeachment process. The House had brought impeachment charges against Blount. The Senate however wanted to keep the treason charges by Blount secret from the people so, with the silent cooperation of the House, they expelled him on July 8th, 1797 for "a high misdemeanor," thereby avoiding the impeachment trial.

The Supreme Court should not by its own rule,

[7] Dictionary of American Biography, Vol. II, p. 390, American Council of Learned Societies, c-319 Copyright 1929

limit its power to withhold a necessary Constitutional decision. When a Constitutional process (impeachment trial) is terminated instead of tried by the Senate, the Supreme Court should have taken immediate action. It should not wait until a case is brought before it "in due judicial course." In this particular case the Senate and House preferred secrecy. The lawyer-dominated Senate, on January 11th, 1799 made a self-serving judicial determination that "a United States Senator is not a civil officer of the United States within the meaning of the impeachment clause." That wrongfully put the case to rest.

The Supreme Court should have come to the immediate defense of the Constitution by informing the Senate that the House had by its "sole power" to impeach put into motion charges for the impeachment of Blount. The Senate was duty bound by the terms of the Constitution, to try those charges. No person should be required to file a notice in "due judicial course" to alert the Supreme Court that it had a duty to inform the Senate to support the House in its charge that a Senator was a civil officer and subject to impeachment. Because of the Supreme Court's failure to act, the Blount precedent by the Senate, was unfortunately allowed to stand. As a result, no corrupt Senator or House member has ever been impeached, convicted, disqualified and removed for treason or any other charge. Over the years, unending corruption in both Houses has been condoned. The uninformed public simply dismiss it with the remark - "what can you expect from politicians!" Of the thirty-two Senators, who would have served as Blount's Jury, twenty-five were lawyers. The majority of the House members were also lawyers, and one can judge their character by whom they chose to be their leader. For their Speaker, they elected Jonathan Dayton, a lawyer and former delegate to the 1787 Convention in Philadelphia. Dayton already had a bad reputation for his involvement in dishonest land deals, and for defrauding Revolutionary War veterans by buying up their military land certificates for about one-tenth of their value.[8] On June 25th, 1807 Dayton himself, was indicted for high treason,[9] but a nolle prosequi was entered September 1st, 1807 and he was never brought to trial. The Attorney General decided to ignore the indictment and did not prosecute.

Many members of Congress were involved in those corrupt land deals. If cornered, a guilty member could expose the rest. No doubt that in part was why the House let the Senate expel Blount, even though he had already fled. A long delay would put it out of public focus and avoid the exposure of a trial. House Speaker Dayton obliged by delaying Blount's impeachment charges for seven months until January 29th, 1798. The Senate further delayed the trial proceedings until December 17th, 1798. Finally, on January 11th, 1799 after a two and one-half year delay on such a serious issue, the Senate voted to dismiss the charges.

By the delay and dismissal in the Blount case, both Houses had engaged in criminal acts as treasonable as those committed by Blount. At the trial, all evidence would have to be presented. The treasonous acts of Blount endangered national security. He, as a US Senator, was engaged in a dangerous plot with Great Britain. That country was still our enemy, and was impressing American sailors, and instigating Indians in Ohio Territory to massacre settlers. President John Adams, and his Attorney General, Charles Lee, were duty-bound to present evidence to a Federal Grand Jury to pursue a criminal investigation. The complete cover-up by all involved should convince any reasonable person that Blount was not alone in that treasonous plot. Treason is the reason for this document because it is a daily occurrence.

[8] History of the Supreme Court, pp. 119-121, Gustavus Myers, 1911-1912

[9] Dictionary of American Biography, Vol. V., p. 166, copyright 1930

Early in our history, acts of treason, by members of the Judiciary occurred on a regular basis. The highest of officials such as founding lawyer, Senator and later Chief Justice Oliver Ellsworth had been caught up in a treasonous plot but managed to escape trial on the charges[10]. While history overwhelmingly informs us of Ellsworth's treason, little detail remains of the particulars.

The Revolutionary War wasn't fought just to end excessive taxation. The people also wanted to get rid of the entire English Judicial system under which they were terribly abused. The people in most of the ratifying conventions refused their consent to the newly proposed Constitution because a Bill of Rights wasn't prefaced to the Constitution. The Founders quickly told them to first ratify and then send a list of rights, along with proposed Amendments to the First Congress. The people in the ratifying conventions agreed to this because, in their observations, they had discovered that the words attorney, lawyer, attorney general and prosecuting attorney were nowhere in the Constitution, therefore, the judicial power of the United States had to be vested in a Supreme and inferior courts operated by lay people. The Judicial Article of the Constitution further states, "The trial of all crimes ... shall be by jury." So the Revolution was successful; the people had rid the Country of lawyers and the English system. Only lay people would now be the judges and members of the Jury in the new American government. Furthermore, a layman would be the elected President and members of Congress likewise. That would be a good deal for the people.

Presidential and congressional elections were held shortly thereafter. The Founding Fathers, however, did everything they could to elect former crown lawyers to the First Congress that assembled in New York City on March 4th of 1789. A quorum was not achieved until April 6th. On April 7th, a committee of seven, dominated by former crown lawyers met behind the locked doors of the Senate. During the next five months huggermuggers drafted The First Judiciary Act.

But there were attempts by other factions to take control of the whole or part of the new government.

Treason evidently was commonplace. In September of 1804 Aaron Burr, while vice-president of the United States, secretly sought from Anthony Merry, the British minister, financial and other aid to bring about the separation of the Western States from the Union. In March 1805 Burr brought his separatist project once more to Merry's attention. He asked for a half million dollar loan and the use of a British fleet at the mouth of the Mississippi. Early in 1807 nine boats and some sixty to eighty men were captured on the Mississippi. Burr was also apprehended.[11] The government, not daring to give publicity to so many other officials who had already been involved in treasonous acts, carefully assigned the case to Chief Justice John Marshall, a formidable usurper. Of course the outcome of the trial would depend largely upon the Article of the Constitution defining treason. Marshall ruled that levying war ... could only be established by an overt act in which the accused actually participated. It was definitely shown that Burr was not present, nor near enough to affect actual proceedings. The theory of "constructive treason" which would have made him "contributory" to that assemblage and equally guilty with those who were present was rejected. Hence it was impossible to establish the "overt act" necessary to convict. The jury on September 1st, acquitted Burr and his associates of treason. The jury based its decision on the "evidence submitted" but of course, it was the court's rulings that the Jury was told to follow that shattered any hope of ever

[10] Dictionary of American Biography, Vol. VI, p. 115, copyright 1931

[11] Dictionary of American Biography, Vol. III, pp. 317-319, copyright 1929

getting convictions on sure-fire cases of treason.

In Section 2382 of Title 18, Misprision of Treason is the crime committed when one harbors the bare knowledge of an act of treason or a treasonable plot and fails to disclose it to the appropriate officials. In such case, the knowledgeable party becomes a "principal." Misprision is a felony in common law. It was the offense of concealing knowledge of a felony by one who has not participated or assisted in it. On at least two occasions, Burr had previously sought from the British Minister both money and aid of the British Fleet. It was plainly evident that Chief Justice Marshall, the Attorney General and federal prosecutor had been completely aware of that information in addition to the fact that the crew members on the nine boats had been secretly recruited by Burr. So each of the highest Judicial officials became a "Principal" in a most serious crime - Treason. In this most important case, a federal Grand Jury could have subpoenaed some of the crew members, and with grants of immunity, could have brought indictments against the leaders.

The provisions in the Constitution, dealing with treason, have not well served the American people. Therefore, Grand and Trial Juries must especially make it their business in cases of treason to hear and gain all evidence by question and answers through their own efforts. They certainly should not trust the lawyers in control of the Courts, the Congress, and the Executive power.

The public should strive to get this document before as many people as possible so they will be made aware of the usurpation and treasonous deeds of Constitutional officials over these many years.

After two hundred years of treasonous dealings, only The Foundation For Rights discovered and explained that in the drafting of the Constitution's treason clause, the Founders themselves had deliberately committed an act of treason. Under its provisions, a President, Congressman or Supreme Court Justice who commits Treason, is assured of Constitutional protection. Not one of such officials has ever been convicted and punished for an act of treason. President Clinton is the latest obvious example that treason is a continuing crime that is not punished. His dealings in secret military weapons with Chinese officials would be easily proved. He also opened the door wider to the United Nations and allowed world government military forces to plan and drill on American soil. At the same time, he and the Congress were steadily disarming law-abiding people. Webster's Dictionary provides the following definition of treason: (1) a betrayal of trust, treachery. (2) violation of the allegiance owed to the sovereign authority [the people]; betrayal of one's country.

Treasonous acts had often been committed during the eight years of George Washington's administration. President Washington retired in March 1797, three months prior to the Blount treason charge by the House. A plot of such magnitude with Great Britain could not have been carried out by Senator Blount without the help of others and had to be planned well in advance. Before the Jay Treaty was ratified on June 24th, 1795 the US Senate had secretly agreed to pay England 600,000 pounds sterling as reparations for the American Revolution. Opponents of the Treaty attempted to kill it in the House of Representatives by denying the appropriation for enforcing its provisions. They demanded that Washington turn over papers relating to the Jay Treaty, contending that the House had the power to investigate those documents. On March 30th, 1796 Washington refused stating the House had no role in treaty-making. He cited the Constitution's provision that treaties ratified by the Senate and signed by the President were the supreme law of the land.[12] The House evidently was a party to

[12] Send a small donation and stamped self-addressed legal size envelope to Foundation For Rights to receive this pamphlet - a Treaty is not a Law.

this sham. It had the right to completely investigate the entire matter, including the President's unconstitutional role of nominating a Supreme Court Chief Justice to be a Special Envoy to England. The House instead allowed the President to establish a self-serving precedent that other Presidents have used over the many years to cover up other major scandals, two as recent as the Nixon and Clinton administrations. Their acts of treason were never to be exposed in Senate impeachment trials. When the *Philadelphia Aurora* published its condemnation of Washington, in December 1796 there was ample cause that warned the people about traitorous acts. The signing of the Judiciary Act in September of 1789 by President Washington, and the ratification by the Senate of the Jay Treaty on January 24th, 1795 were acts of treason by our Founders that should be told to the people. The historical facts have not honestly been presented by our Constitutional historians but, from time to time, one stumbles across the truth. Several writers claim that we never did separate from the British. There seems to be evidence to bear that out. Our government has gone out of its way to enter two World Wars to save England and then, detrimental to our national interest, became deeply involved in making treaties to assist the English in the Middle East and elsewhere.

Separation of Powers - a Guard Against Treason

The US Supreme Court has not been a true guardian of Constitutional process. The following should give the reader good reason to agree. On July 6th, 1965 the Supreme Court was duty-bound to examine and then reject the proposed 25th Amendment's submission for ratification to the State Legislatures by the 89th Congress. Section 2. of that Amendment states: "Whenever there is a vacancy in the office of the Vice President the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both houses of Congress."

Section 2. of the new Amendment was in conflict with Section 1. Clause 1 of Article II of the US Constitution. That Section, in force since 1789 commands: "The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows: ... ." Therefore before a 25th Amendment to the Constitution could be considered and proposed, Section 1. Clause 1 of Article II had first to be considered for repeal. The 89th Congress did not dare propose repeal of Section 1. The people would have been outraged against repeal of a Constitutional provision that authorized the people to elect Presidents and vice-presidents. Here again was treason against the people by the lawyer-dominated 89th Congress and a lawyer-dominated Supreme Court that did not declare against the submission and passage of an amendment that would negate people power.

There were two delegates at the Philadelphia Convention, who voted against the adoption of the Constitution. Both believed that pardons would be used to screen and secure from punishment those who engaged in treason. George Mason of Virginia stated: "The President of the United States has the unrestrained power of granting pardons for treason, which may be sometimes exercised to screen from punishment those whom he had secretly instigated to commit the crime, and thereby prevent a discovery of his own guilt."

At another time, Luther Martin of Maryland stated: "The Power given to the President of granting reprieves and pardons, was also thought extremely dangerous." What the Founders appeared to be the most concerned about, as Martin put it, the President was given the "power of pardoning those who are guilty of treason" and the danger with that, he narrowed the point "it is said that no treason was so likely as that in which the President himself might be engaged." He knew the President would "attempt to as-

sume to himself powers not given by the constitution, and establish himself in regal authority; in which attempt a provision is made for him to secure from punishment the creatures of his own ambition, the associates and abettors of his treasonable practices, by granting them pardons should they be defeated in their attempts to subvert the Constitution."

The 25th Amendment was ratified by lawyer-controlled State Legislatures on February 10th, 1967. The amending process, as directed by Article V is improper. All Amendments must be submitted to the people for ratification. It was declared by the Philadelphia Convention in 1787 that it was the people's Constitution. It was not ratified by the States. The people have the Right to reject any Amendment. The 89th Congress was without authority to draft the 25th Amendment which would deprive the people from electing all Presidents and vice-presidents. Furthermore, it was criminal of that Congress to chose the State Legislatures to be a party to their crime of denying the people of a vital Right provided by the Constitution. This was all done to cover up on-going corruption by the Legislative and Executive Departments while the Supreme Court (the Judicial Department) silently viewed all of the on-going criminality.

In 1973-74 the 25th Amendment served well a shameful Nixon administration. A corrupt Vice President Spiro T. Agnew was forced to resign on October 10th, 1973. Under the terms of the 25th Amendment President Nixon nominated Gerald Ford to be the new Vice President. He was confirmed by a majority vote in both Houses. On December 6th, 1973 Ford was sworn in as the 40th Vice-President, the first under the 25th Amendment. On August 9th, 1974 Nixon resigned and Gerald Ford was sworn into office the same day.

On September 8th, 1974 one month after Nixon resigned, Ford, a President by an act of usurpation, issued a pardon to ex-President Nixon for all federal crimes that he "committed or may have committed" while President. This act by Ford, a lawyer, was in reality a grant of immunity. Ford usurped the Constitutional power of a vice-president and then President. Ford also usurped a Grand Jury power in his grant of immunity to Nixon .

On August 20th, President Ford, in another act of usurpation nominated Nelson Rockefeller to be his Vice President. Rockefeller became the second non-elected vice president on December 19th, 1974.

Section I. Clause 1 of Article II, never repealed, was to be a Constitutional safeguard that all Presidents and vice-presidents were to be elected by the people. Congress in proposing the 25th Amendment authorized a majority of its own members to vote approval of a vice-president nominated by the President. But the proposed Amendment was in violation of Article II Section 1. of the Constitution which states: "He [the President] shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected ... ." Again, the Supreme Court failed in being a Constitutional guardian. It did not declare the 25th Amendment unconstitutional.

In July of 1965 a Petition by this author was directed to the Congress proclaiming the 25th Amendment could not be put into motion because it would deprive people of the Right of Suffrage.

A dangerous Constitutional provision for enlarging federal power is the requirement in Article VI that states: "This Constitution, and the laws of United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land ... ." It further states that all US senators and representatives "and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution ... ." That meant judges, Attor-

neys General and prosecutors from every State would then become active supporting members of what Thomas Jefferson called "the Consolidated Federal Judiciary." Every lawyer is required to take an oath to honor and support the Constitution as "the supreme law of the land." All State lawyers therefore became supporting members of "the Consolidated Federal Judiciary," along with those admitted to the federal bar. That in itself was a planned Act of treachery that furthered the cause of treason that deprived the people of the right to rule their own government.

The decision to make the Bill of Rights amendments to the Constitution was a treasonous act by the first Congress. The Congress knew the inalienable Rights of the people cannot be taken away or transferred from the people. As an amendment, the people's Bill of Rights was wrongfully placed under the jurisdiction of the Supreme Court and Congress where our rights, by court opinion, can be subjected to change, as can be any other part of the Constitution. The Courts, by its opinions, and Congress, by its laws, have subverted and distorted the true purpose and meaning of the people's rights. One Congressman has already submitted a proposal to repeal "Amendment II," the right of the people to bear arms. Such tampering by the Courts and Congress has destroyed the Bill of Rights' intended purpose - a direct and quick check by people over all Constitutional officials.

For years the National Rifle and other Associations should have been using our dues and extra collections of money they receive to better educate their members, or better yet, the general public in matters basic for our survival as a free people. Instead, the leaders have been following the false advice of the Consolidated Judiciary. Several years ago, I informed National Rifle Association leaders that I would only contribute my annual dues, but no longer extra money to help elect favored Congressmen. There are many ways in which people, at little cost, can place our officials on the defensive. We can educate and encourage the people to work for term limits[13], and also work to end federal pensions for Congressional, Executive and Judicial officials[14]. The Constitution itself provides the means to achieve that end. (Article I Section 6. Clause 1; Article II Section 1. Clause 6; Article III Section 1.) Million dollar pensions must end. Everyone goes on Social Security. The public will gladly cooperate in such a movement. We invite the more active, thinking members of the National Rifle and other Associations to set aside $5.00 from their extra donations and send it to the Foundation for Rights. That will be your annual dues which will entitle you to receive other documents or articles. It will also entitle you to half price on our pamphlets and book. This Foundation is not building another fiefdom. We want to give the people information long withheld from them. We need the most intelligent and dedicated members of other organizations to join with us to help in properly educating people to the need of honest government. The first thousand who fill out the application and remit their dues will become worthy Charter Members. There are 800,000 lawyers in the United States. Once we inform and earn the respect of a million new members, the lawyers will no longer be capable of keeping secret their long-held powers that they have stolen from the American people.

Opportunities often arise in which really dedicated organizations can help keep the public informed and aroused as to corruption that is too often overlooked. For example, in the Senatorial Race of 1998 the National Rifle Association raised millions of dollars to support the re-election of incumbent Senator Alphonse D'Amato to defeat his challenger Representative Charles Schumer, an outspoken anti-gun ad-

[13] Join or support US Term Limits, 10 G Street, NE, Suite 410, Washington, D.C. 20002

[14] Join or support National Taxpayers Union, 108 North Alfred Street, Alexandria, VA 22314

vocate. Both candidates were lawyers. The Rifle Association had a terrific opportunity to use its four million members, and many dollars to get publicity in support of The Foundation For Rights' Petition to Congress. The Petition informed the Congress and public of the unconstitutional action of Representative Charles Schumer and other Democratic Representatives, who were seeking the office of a US Senator. In the House, Representative Schumer worked diligently to oppose the Impeachment of President William J. Clinton. In the meantime, President Clinton, at the public's expense, was using Air Force One to fly around the country raising millions in campaign money to help elect Candidate Schumer and others to the Senate. Upon successfully being elected to the Senate, Schumer then voted against conviction of impeachment charges. Schumer received millions in campaign funds from Clinton, the first known President ever who bribed members of a Senate trial body to successfully escape conviction of impeachment charges. You can bet that most members of that Senate Trial body were lawyers who are the real enemy.

We will again seek the impeachment of former Attorney General Janet Reno, Senator Charles Schumer and others on charges too numerous to state at this time. Janet Reno can be impeached, convicted, and disqualified from again holding any office of honor, trust or profit after she has vacated her office. In 1876 Secretary of War William Belknap was impeached by the House. Belknap resigned and President Grant had accepted the resignation. The Senate followed up, but the trial ended in an acquittal. However, if found guilty, the Senate could have imposed the disqualification clause and Belknap would have been deprived of his pension and been forbidden to hold any office of honor, trust or profit.

The danger of the Consolidated Federal Judiciary can best be explained by an experience with just one of its members. In 1966 this author challenged and won a Constitutional confrontation against both the City of Rochester and NY State Officials. Members of the Police Union congratulated and then urged me to be their next union president. I accepted the offer on the condition that they follow my lead so worthwhile goals for the better enforcement of law could be attained.

The Supreme Court's Miranda decision in 1966 was a blow to police morale. In 1968 shortly after being elected to head the Police Union, I informed the membership that I had drafted a Resolution that would put a stop to a usurping, power hungry Supreme Court. But I explained it was necessary that I receive a unanimous vote on the Resolution that was to be passed. The members were first informed that the Resolution would not be put into operation until we succeeded in getting other NY State Police conferences to go along in support of the Resolution. We picked some of the most vocal supporters from the Rochester Union to attend a special meeting with the Central Police Conference in Syracuse, NY. We did the same in Buffalo and other cities where we also obtained unanimous votes with the understanding that nothing would be done until later that year when all Conferences would attend our annual Convention in Albany, NY. We believed the entire NY State Police Conference representing 52,000 police officers would give us the final necessary vote to put the Miranda Resolution in motion.

We were confronted with difficulties at the Rochester meeting. Our Resolution required every police officer to agree that as of a pre-established date, he would not give the Miranda warning to any person he arrested. That would force judges to dismiss all criminals the police in NY State had arrested. This would bring the matter to a head and awaken the American people. It would give the police (executive officers) the opportunity to speak out and expose a corrupt self-serving judiciary. Early on, some members of our Rochester police union were frightened. They told me we are police officers; we have to uphold the law, not

break it. I told them the Judges, Attorneys General and lawyers are breaking the law every day of the year. The Supreme Court does not have the power to make law. The Court is only supposed to decide the case before it. The Congress knows this, and the members of both Houses must submit the controversial substance contained in the Court's Miranda decision as a Constitutional amendment to Conventions of people for their approval and ratification. Instead the lawyers who dominated both Houses let the Court's Miranda decision stand as if it was an actual Amendment to the Constitution. The Supreme Court, of course, would remained silent.

Earlier in this document, readers were informed that the major premise of the Constitution demands that there must be a division of powers between the three branches of government. This is an absolute necessity for the system of checks and balances to operate. Lawyers, in controlling numbers in all three branches, are in violation of the separation of powers. We have also shown earlier that Article I Section 6. Clause 2 makes the point clearly that lawyers are forbidden to be members of Congress. (see page 2). I will now clearly demonstrate how one member of the Consolidated Federal Judiciary, a lawyer and counsel to the NY Police Conference, and the Police Officers who were the highest elected officers of the Conference, betrayed the entire membership at our annual meeting in 1968. When I, in a short explanation, attempted to present the Miranda Resolution to that Convention for its vote of approval, a requirement, that every police officer in NY State would not read the Miranda warning to any person arrested, Mr. Harvey, the lawyer-counsel, jumped from his chair and shouted loudly - "This man is telling you to break the law." I said "Mr. Harvey you have no right to be counsel here at our Police Conference. You don't allow any outsiders to attend your National Bar Association meetings and Conventions. At your meetings, Bar members break the law when they secretly cook up corrupt deals - who knows maybe even this Miranda spectacle was born there." At that time, three or four Conference Officials and lawyer Harvey went into a huddle. The President immediately emerged and informed me, even before I could present the details of the Resolution, that I would have to have a member second the Resolution or I could not proceed. Police Officers are brave when a man points a gun, but abject cowards when a lawyer or politician tells them they are breaking the law. I loudly condemned them for their fear of seconding the motion to introduce the Resolution that I am sure the police in the streets and American people would have whole-heartedly supported. Failing in my mission, crime since 1966 has gotten out of hand. Criminals and lawyers have become the beneficiaries of Miranda and many other outrageous court decisions. The Organized Criminals of the American Bench and Bar violate the separation of powers in managing and controlling the Congress, Courts and Justice Department. This relatively small alliance of lawyers is growing stronger everyday. But the day is coming when the people will awaken to discover that treason and tyranny are synonymous.

To bolster the purpose and meaning of the resolve, I informed the Police that they were executive officers. They must enforce the law by arresting those who break it. When we advise violators as to their rights, we become a judicial officer, in **conflict** with our rightful duty as an executive officer. For more than 170 years, a police officer had been allowed to question those he arrested to make a stronger case when he appeared before Grand and Trial Juries. We are not lawyers or judges and should not be intimidated or forced by Court decisions to inform those we arrest to remain silent. Those we arrest have a right to counsel, but only after they are questioned, charged and processed by the executive powers (the police). Judicial officers are required to explain the law at the time of the criminal prosecution. Grand Juries must be open and available at stated times weekly. It's members should be picked by lot so that people of all races would serve and be available to hear the cases of

people whom the police supposedly abuse during the questioning process. These Grand Jurors should periodically speak out as they used to in order to obtain witnesses to come forward.

I sincerely believe if lawyer Harvey had not been in attendance at our Convention, as legal counsel, the Resolution would have been passed and we would have won the day for the American people. From past experience, I know I had the ability to arouse and obtain the immediate support of the great majority of the leadership in attendance. The President and other officers of the NY State Conference would have quickly fallen in line. For our cause, we could have obtained National publicity where we could have urged other member States belonging to the National Police Conference to join with us in putting a check on Miranda and the entire Federal Judiciary that completely violates the separation of powers. As an aside, one effect of the Miranda Ruling is that it forces police officers to shill for lawyers.

The National Rifle Association and other big organizations have their own staff of lawyers who, like Mr. Harvey, are constantly guarding the status quo. Members pay millions in dues to support the Rifle Association and the salaries and expenses of lawyer officials such as Mr. Harvey who really work against the best interests of such organizations and of the people. The Foundation For Rights is the only organization in the Country that claims the Bill of Rights is separate from the Constitution and supreme in its authority. Otherwise we cannot claim to be a government of the people. Our intended purpose is to educate people to correctly assert themselves by using the Bill of Rights to keep the government in check as was its intent. Better educated Grand and Trial Jurors could better administer their duties by exposing and speaking out against the evils of the Consolidated Federal Judiciary.

During the last 200 years, the Judiciary has told the American people so many lies they don't know what to believe. Constitutional historians have never honestly informed Americans that since February of 1790 the people have been governed simultaneously by the provisions of two separate and different Constitutions, the reason being that neither Constitution, by itself, was capable of fulfilling its purpose and nobody can dispute this.

On June 21st, 1788 the first Constitution was ratified. The people of nine States ratified it because Constitutional power was placed in the hands of lay people. A lawyer, in fact, wasn't even an entity. The words lawyer and attorney are not to be found in any provision of the Constitution or Bill of Rights. If the Constitution, first presented to the people by the Congress of the Confederation, on September 28th, 1787 had been prefaced with a Bill of Rights and placed before the ratifying conventions, it would have immediately been accepted. Laymen had everything to gain by the terms of the First Constitution. They, not lawyers, would be in command of the Congress and there they would have been able to create one Supreme Court. However, they would have refused to establish inferior courts. Laymen would serve as the Justices of the Supreme Court. A lay person would always serve as the President. There would be a distinct separation of powers: no lawyers - no conflicts of interest - no adversarial proceedings. Lay people on Grand and Trial Juries would be the enforcers and judges in the management of the Bill of Rights. Juries would readily indict and speedily convict a President or any other official for corruption or Constitutional wrongdoing. No lawyer would be there to take an appeal to a higher court (more lawyers) where cases are interminably delayed for the purpose of cover-up.

During most of our history, there has been a second Constitution that has wrongfully put lawyers, instead of lay people, in complete charge of our government. The second Constitution was a creation of a seven-member Senate Committee. The committee met for the first time on April 7th, 1789 and for the next

five months, labored in secret sessions behind locked doors of the United States Senate. The seven-man committee was dominated by lawyers. Two of the lawyers, Oliver Ellsworth and William Paterson, were the chief architects of the second Constitution. Both were former members of the Philadelphia Convention where they could have easily established a Supreme Court of six Justices. That would have been acceptable to the people, but not to the Founding Fathers. The Founders, mostly lawyers, had to establish inferior Courts so the States could be divided into thirteen Federal Judicial districts, and a Judge in each District Court would become a vital link to the US Supreme Court. The people would have strongly opposed the First Constitution if inferior courts were an established part of it. The people had their own State Courts and they had insisted that the Federal government be very limited in its powers. The former Crown lawyers had first to get the people to ratify the Constitution in which the people believed they would be in control. Once this was done election of a Congress and a President would be in order.

In that first election it was essential that the Federalists elect a majority of former Crown lawyers so they would be in charge of the First Congress, the law-making body. The Federalists had actually elected to the First Congress, nineteen former members of the Philadelphia Convention, and also the twentieth, Washington, President of the United States. Washington had previously served as President of the Philadelphia Convention.

Senator Ellsworth's second Constitution contained twenty-one pages of fine print and consisted of thirty-five sections - approximately 8,500 words - about double the 4543 words contained in the original Constitution, signed on September 17th, 1787. The second Constitution established a Supreme Court of six Justices. Inferior Federal courts were also created. The office, qualifications and duties of an Attorney General of the United States were created, along with the office, qualifications and duties of an attorney for the government to be active in every Judicial District. Judges were given the broadest of powers. English **common law** remedy could be invoked by them. "That all said courts of the United States shall have the power to grant new trials, in cases where there has been a trial by jury for reasons for which new trials have usually been granted in the courts of law; and shall have power to impose and administer all necessary oaths or affirmations, and to punish by fine or imprisonment, at the discretion of said courts, all **contempt of authority** in any cause or hearing before the same; and to make and establish all necessary rules for the orderly conducting [of] business in the said courts, provided such rules are not repugnant to the laws of the United States." This last lengthy sentence just quoted, would have been totally repugnant to every American patriot.

But the people weren't informed that the Constitution they had ratified in June of 1788, was to be secretly amended by thirty-five new sections and actually put into force in February 1790, still minus a Bill of Rights. The new sections drastically changed the Constitution that was to be administered by, of and for the people, to a Constitution that was to be operated by lawyers for the benefit of lawyers. If the people had been so informed, they would have rebelled. The lawyers in Congress had to keep such dangerous information secret from the people. The lawyers had quietly passed, and had President Washington sign "an Act to establish the Judicial Courts of the United States." That Act is better known as the First Judiciary Act.[15]

An Act of law containing thirty-five additional sections, had secretly been passed off as a Constitutional Amendment. It should have properly been called

[15] To receive a copy of this scandalous First Judiciary Act, send $5.00 money order to Foundation For Rights, PO Box 17699, Rochester, NY 14617

a second Constitution since all three departments of government would be seriously affected by the additional sections. In quietly signing it, President Washington purposely deceived the people into accepting an act of law to serve as a Constitutional Amendment. The First President and First Congress intentionally robbed the sovereign people of their right to govern themselves. Instead they placed lawyers as the sovereign authority by creating and placing a Consolidated Federal Judiciary in complete command of the new government. In time, the Consolidated Judiciary would control both the central government as well as the States. The members of the First Congress and President Washington were not properly under a "Constitutional oath" that they were required to obey, during the planning and passing of the First Judiciary Act. That in itself made the Act void.

In the last 212 years, an Act of Law has wrongfully been allowed to serve as an amendment to the Constitution without the consent of the people. Instead of protecting us, the Supreme Court remained silent during those years of outrageous deceit. More contempt and outrage was to follow.

The First Judiciary Act was passed on September 24th, 1789. Section 35 of the First Judiciary Act provides for the office, qualifications and duties of persons who shall act as attorneys for the United States. Also provided is the office, qualifications and duties of a person "to act as Attorney General for the United States."

Eighty-one years later, the "Department of Justice was established by the Act of June 22nd, 1870 with the Attorney General at its head. Prior to 1870 the Attorney General was a member of the President's cabinet, but not the head of a department, the office having been created under the authority of the **Act of September 24th, 1789.** ... The chief purpose of the Department of Justice is to provide means for the enforcement of the Federal laws ... ." Not true. The real purpose of the lawyers in establishing the Department of Justice was to greatly expand the powers and duties of the Attorney General and Prosecuting Attorneys. Lawyers as executive officers could join with the judge of the Judicial Department and take command over both Grand and Trial Jury bodies. Judges have unlawfully been making rules to limit the powers of Juries, and lawyer-Congresses have been making laws to enhance the powers of the Attorney General and prosecutors. These judicial officers holding executive powers, with the help of judges keep public scandals involving mostly lawyers from being exposed. That is why people on Juries must insist upon taking full and independent command in their determinations for voting.

Former President Clinton, a lawyer, nominated Janet Reno, a lawyer, to be Attorney General. She served him well. On August 23rd, 2000 she decided against naming a special prosecutor to investigate, Vice President Al Gore's 1996 campaign fund raising "because further investigation is not likely to result in a prosecutable case." Reno told reporters, "I have concluded that a special counsel is not warranted." Robert Conrade Jr., the supervising attorney heading up the department's probe, stated that Gore was less than truthful in an April 18th interview on his role in engaging in improper campaign finance practices. Reno announced that she did not reach the same conclusion.

The Grand Jury has the duty and power to investigate the case involving Gore and the entire Justice Department, and its history of shielding the corrupt. Instead, the innocent, who attempt to expose the corrupt tax system, are framed and indicted along with whistle-blowers who reveal corruption, graft, and other wrongdoing. "The executive power shall be vested in a President of the United States of America." He shall be elected and hold his office for the term of four years. How then can a constitutionally unauthorized, unelected Attorney General be the head of the Department of Justice and "Chief law officer of the Federal

Government?"

Since the beginning, people have been electing lawyers to serve as a majority in all of the Congresses. Millions of laws and law decisions have been made to enlarge upon the judicial power. Thus lawyers have, over a long period of time, succeeded in gaining complete control of the three branches of government. Madison stated in his #47 Federalist Papers: "The accumulation of all powers, legislative, executive and judiciary, in the same hands ... may justly be pronounced the very definition of tyranny."

Lawyers are responsible for the tyranny that exists in America. They fraudulently annexed the people's Bill of Rights to be a part of the Constitution in order to have control of them. With the consent of Congress, a lawyer dominated Supreme Court made Rule 7(c). That rule commands: "The indictment or the information shall be a plain, concise and definite written statement of the essential facts constituting the offense charged. It shall be signed by the Attorney for the Government ... ."

Now let every person think very carefully about the following facts and information; The office and qualifications of a US Attorney for the government were not established by the terms of the Constitution ratified in June, 1788. Neither did the Constitution establish the office and qualifications of an Attorney General. No amendment has been proposed by Congress or consent given by the people for the creation of the office of US Attorney for the Government or that of an office for a US Attorney General. The Constitution, furthermore, does not assign any duty that the above officers are to perform. Therefore, the Attorney General and US Attorneys for the Government have always been impostors. Since 1870 those judicial officers have been fulfilling both Executive and Judicial powers. In doing this, they have totally corrupted the legal system. A Supreme Court of lawyers created Rule 7(c) which requires an Attorney for the Government to sign all Grand Jury indictments supposedly to make them valid. That Rule, pure and simple, is an obstruction of the Administration of Justice.

Indictment and trial by Grand and Trial Juries are the only method the people can employ to enforce the protection of our rights, liberties and property. About thirty years ago, through a newspaper account, I discovered that a federal Grand Jury in Baltimore, Maryland had indicted Senator Russell Long and former Senator William Brewster, both lawyers. Congressman Hale Boggs, Clarence D. Long, Samuel Friedel and Speaker of the House John W. Mc Cormack were also under further investigation in the same $5 million bribery scandal with Maryland building contractor Victor Frenkil. The Grand Jury report listed forty-five overt acts through which Frenkil allegedly sought to defraud the government. Along comes Attorney General John N. Mitchell, who ordered US Attorney Steven Sachs not to sign the indictments of the other House members who were involved in the scandal.

By phone, I contacted the acting Grand Jury Foreman in Maryland, and identified myself. I informed him not to seek help from Chief Federal District Judge Roszell C. Thomsen or the US Attorney because they were expected to uphold Supreme Court Rule 7(c) regardless of the corruption that it covered up. I told the Grand Jury Foreman that his cause would gain good publicity if his Grand Jury prepared a detailed Presentment and sent it to a Select House committee for Impeachment of those involved in the building scandal. I told him to make copies for the Media. I also sent the Foreman Section 603 of the House Rules which states: "The House of Representatives has various methods of setting an action for impeachment in motion ... ."

One is by a charge from a Grand Jury.

For years, members of the Association For Grand Jury Action, Inc., used House Rule 603 on many oc-

casions to inform Grand Juries that they had the right to issue a Presentment to the House for the impeachment of a Federal Judge, a US Attorney General, a US Attorney or any federal official. We were very successful in obtaining publicity that exposed many officials. On one occasion, this author was personally involved in getting Abe Fortas, Associate Justice of the Supreme Court to hurriedly resign his seat on the High court. Before the media would look into my Petition for impeachment to remove, The Association For Grand Jury Action had been informing the public about never-ending corruption by members of the Supreme Court.

Today, persons interested in reform are not organized and have no leaders to follow. This is the time for all good people to join in the support of the Foundation For Rights which will enable you to gain vital information that will secure a long awaited government of, by and for the people. You will make history as part of an organization working strictly in the people's interest. Presently, the Constitution and Bill of Rights offer little, if any, protection to any of us. The facts and information in our documents will, in time, arouse enough people to restore our Bill of Rights, Grand Juries and Trial Juries to positions of power.

It's a waste of time, effort and money to organize a million man or million woman March on Washington. It just tires the people, and accomplishes little. Radio and TV talk show hosts may arouse their audience but they don't know the means and methods to have their audience follow through a course of common action.

We especially desire the membership of independent thinking people, such as those involved in home schooling. They will be able to teach the young that our Bill of Rights and Constitution have been totally distorted and what they must do to obtain an honest government. If the people would properly utilize the original US Constitution which the people in 1788 believed would serve them well, we could become a government of, by, and for the people.

It is the duty of 280 million Americans to honor, obey and enforce the Bill of Rights as the ultimate law, designed for individual protection against governmental usurpation and tyranny. We state that the Bill of Rights is the ultimate law because it puts limits on the Constitution and is therefore superior to it. We the people have the truth, the right and the might on our side. When we are abused, and our land is being corrupted, we must readily invoke Bill of Rights authority.

Under the overall authority of the ninth Article of the Bill of Rights, a Grand Jury is empowered to indict any official who would wrongfully use his authority to deprive any person of his life, liberty or property. Article 9 of the Bill of Rights commands that "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." That means the people on a Grand Jury have the power to indict for acts manifestly subversive to powers specified in the Bill of Rights or Constitution. Conduct clearly destructive to government by the people or dangerous to the well-being and liberty of the people need not be specifically defined by statute.

Whenever you petition the government for a redress, you must also direct a copy of the same petition to a federal or local Grand Jury for follow-up action. Judges and US Attorneys obstruct the administration of justice when they withhold your petition from the Grand Jury. From years of experience (1946-2001) I can attest that federal, state and local governments invariably do little or nothing to assist petitioners. Instead lawyers and judges in command of all departments of government immediately go into action to cover-up corruption for which they, themselves, are most often responsible. That is also why our criminal judiciary created the US Department of Justice. They have thus placed a US Attorney in close proximity to

Grand and Trial Juries. This is done to keep us from informing our fellow citizens on Grand Juries about criminal acts that are everyday occurrences. The leaders of most organizations are easily frightened and don't have the courage to inform their membership that US Attorneys intercept the people's Petitions to Grand Juries and the judges assist in cover-ups. The judges threaten the brave and the bold with contempt and warn the naive and perplexed citizens and jurors that they must "work within the system." It's a rigged system where petitioners and juries are at the advantage of lawyers, judges, prosecutors and attorneys general.

This Document is intended to alert the reader that our Founders were connivers who prepared a Constitutional system that would best serve their own interest. Who else but lawyers would have thought of the idea of enacting a Constitutional oath that none of them would be required to obey? The existing oath is meaningless and unenforceable. Currently every member of every branch of government is violating the Constitution on a daily basis. So the Foundation for Rights advocates the first reform - a Constitutional Oath - that requires officials to "obey" the Constitution.

The second Constitutional reform is the immediate rejection by all of the Treason provision contained in Article III Section 3. Clause 1. However this provision must continue to remain in the Constitution as a memento to all succeeding generations on how our conniving Founders ironically guaranteed Constitutional protection instead of punishment to those who do commit treason.

In the next Document, the reader will learn from facts and information therein presented, that there has been a long history of organized criminality by members of the American Bench and Bar. To achieve the first of their criminal goals, the founding lawyers pretended to attend a Convention in Philadelphia "to revise the Articles of Confederation." Instead, without authority or input from the people, they drafted a Constitution and then falsely claimed it was the people who formed the new Union. At first hand, most of the people rejected it. Our enemy, the lawyers, needed time and reinforcement. Therefore they did not call for one general Ratifying Convention. There the Delegates from all of the States would have assembled and could properly have compared notes. Instead, the Founders called for each State to elect its own Ratifying Convention. The Federalists would then be able to concentrate their forces from both inside the Convention and among the general public to counteract any opposition. The people in most of the Conventions said they would not give their consent unless a Bill of Rights would be made available. So again, with more promises, the people in Conventions were informed to ratify the Constitution and also to prepare a list of Rights to be submitted with additional Amendments the people believed necessary. The people, who ratified the Constitution, submitted a total of 124 Rights, including a few proposed Amendments to the First Congress. Many of our readers have already been informed of the usurpation involved in attaining and putting the new Constitution into motion. Next you will be informed how the First Congress also sabotaged the purpose and true meaning of the Bill of Rights. The First Congress reduced the 124 submitted provisions to only twelve. This huge reduction - from 124 down to twelve - was kept a secret from the State Conventions. It was really a criminal act by the First Congress to send the people's inalienable rights, as game to lawyer-dominated State Legislatures rather than back to the State Conventions. It was also criminal for the State Legislatures to purposely delay ratification for twenty-seven months. This enabled the First Congress, President Washington, and the newly created Supreme Court to unconstitutionally establish a government of lawyers instead of a government by and of the people.

The people have never learned the number one lesson that a separation of powers must always be maintained. Lawyers who dominate all three depart-

ments will not work for reforms, neither will they surrender their usurped powers. They have become rich and powerful. For a starter, it's up to the people to vote all lawyers out of Congress and our State Legislatures. Chapter 8 of *The Constitution that Never Was* [16] explains how the 14th Amendment was unlawfully passed (1866) and ratified (1868) at gunpoint.

Deceit and trickery were used in ratification of the 16th Amendment dealing with the income tax. In July 1909 Congress passed the 16th Amendment. It was falsely claimed to have been ratified on February 25th, 1913. An extensive search of various State archives proved it was never ratified by the required number of States.

Most Americans have never heard of the Titles of Nobility Amendment. Amazingly, after fifty years of publication as an official amendment, the original 13th Amendment suddenly disappeared from the Constitution in the aftermath of the Civil War. But thanks to two American Patriots, enough evidence has been recovered that should encourage the people to replace the Titles of Nobility Amendment, to make sure lawyers and money changers are kept out of government. In my next issue, I will discuss this in depth.

Presently, the most dangerous threat to our lives, liberties and property is an Executive Order. Yet most people don't know what an Executive Order is. In your next Document, the Foundation For Rights will explain what an Executive Order is and also offer a novel, daring plan to put a swift end to all Executive Orders.

Join and help the Foundation For Rights bring this message to millions of Americans.

Conclusion

In summary: We have tried to show you there were two American Revolutions; the first when we as Colonies separated from England and the second continuing one is how the people have gradually been denied the fruits of the first in a carefully planned and executed effort by a group composed of mostly greedy, power hungry lawyers. In commanding numbers they have seized control of the three branches of our government in violation of its own laid out provisions.

Today, 280 million Americans have steadily been losing ground to a relatively small group of judicial officers whom our forefathers intended and actually voted to exclude from the new government. We therefore must awaken to the task before us: banish lawyers - stop their corruption, endless laws and paperwork, waste and debts and most importantly - end the great divisions they have purposely placed between us.

Remember in the beginning the people desired and worked to form and maintain a very limited government to prevent the tyranny that big government eventually forces upon its people.

We need to reinstate the old rallying motto "Eternal vigilance is the price of liberty" and be prepared this time to stand up to judicial usurpers who have made King George look like an amateur.

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[16] Send a money order for $20 to Foundation For Rights, Box 17699, Rochester, NY 14617