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To: N. STEPHEN KINSELLA
215-972-7362

Thank you for agreeing to be a guest on the radio program **"For Which It Stands"**.

This is to confirm you are scheduled for:

Saturday, JUNE 1, 1996
at approximately: 2:00 p.m. - CENTRAL TIME
to discuss: COMMON LAW COURT MOVEMENT

We will:

____ Be Expecting you in the Studio at that time
WTSO, 5721 Tokay Blvd., Madison

✓ Be reaching you by telephone at the following phone number:
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In case we have trouble reaching you, our on-air studio phone is
608-251-1070

If you need to reach us ahead of time, our office phone number is:
(414) 258-1146, or Fax (414) 258-8028

Bill Pangman & Sue Fisher, Co-Hosts, **For Which It Stands**

NOTE: THE GUEST PRECEDING YOU WILL BE DISCUSSING THE FOLLOWING ARTICLE.

radio \confirm

Republicans Call For End of Emergency War Powers

by Alfred Adask

The "Law of Emergency" is roughly this: during an emergency, anything goes. If your house is on fire, you can leap naked out a window instead of dressing properly and exiting through your front door. If you are driving and a hurricane causes the traffic lights to jam on red, no matter, you need not wait at intersections for a green, but may drive through the red. And if war is raging and a suspected spy is captured, the Constitutional presumption of innocence, the rights to equal protection and due process are forgotten as the spy is stood up against a wall and summarily executed. In short, during an "emergency" there is no law, only power.

The recent history of the Emergency War Powers in America goes something like this:

During World War I, Congress passed the 1917 Trading With the Enemy Act as an "emergency" (unconstitutional) measure to prevent American products from being sold and shipped to our wartime enemies. In general terms, that 1917 Act granted the federal government significant new powers to *license*, *regulate*, and *tax* the business transactions of *foreign nationals* who lived in the USA but worked as commercial agents for our enemies.

Although government could impose these new, unconstitutional burdens on *foreign* nationals, American citizens were specifically protected from Washington's new powers. Therefore, if a German national came to the USA to buy steel for Germany (our wartime foe), that German would not be shot or jailed, but he would be *licensed*, *regulated*, and *taxed* until there was no point to buying American steel. However, since this was still "the land of the free", if an *American citizen* wanted to sell his steel to Germany, well, he wouldn't win any popularity contests, but he was free to do so without government interference.

WWI ended, Johnny came marching home again, and life returned to normal in "the land of the free" — except for one, largely unnoticed difference: the 1917 Trading With The Enemy Act, invoked as an "emergency" (unconstitutional) wartime power was not revoked even though the war and the "emergency" had ended. As a result, those "emergency war powers" granted to government remained on the books.

No matter, they only applied to foreign enemies, so America danced through the Roaring Twenties 'til she crashed into the depressing 1930's. On January 30, 1933, Adolph Hitler was appointed Chancellor of Germany; on March 3, 1933, Franklin Delano Roosevelt took office as the 32nd President of the United States. Within days of his inauguration, FDR amended the dormant 1917 Trading With the Enemy Act to include the *American people* on the list of "enemies" of the United States, declared a "national emergency" (the "Emergency Banking Act of March 9, 1933), and invoked the "Emergency War Powers" of 1917 to rule the United States exactly as if we were at war, i.e., as a dictatorship.

During the declared "emergency", the Constitution for the United States of America was suspended as "supreme *law* of the land" and relegated to position of "supreme national *policy*". During the "emergency", what was once *mandated* by law is merely *recommended* by policy. In other words, as a government agent, if you had the time and inclination, you can follow the precepts of the Constitution; but if you're too busy, too hard-pressed by the emergency, screw the Constitution, kick in some doors, start shooting, & kill anybody who gets in your way. After all, the Law of Emergency is no law, only power.

In fact, when FDR first asked Congress to ratify his declaration of

"national emergency" and grant him the unconstitutional powers of an American dictator, he promised to terminate the "emergency" and restore the Constitution before he left office. If FDR ever truly meant to keep that 1933 promise, he apparently changed his mind when WWII broke out, and kept those powers intact until he died in office in 1945.

Harry Truman took over the presidency dictatorship, and apparently found the Emergency War Powers so helpful in running the United States, he didn't revoke the emergency either. In fact, in over 62 years, not one American President-Dictator has even hinted that the "emergency" should be ended, the war powers surrendered, and the Constitution restored as supreme law. Not one.

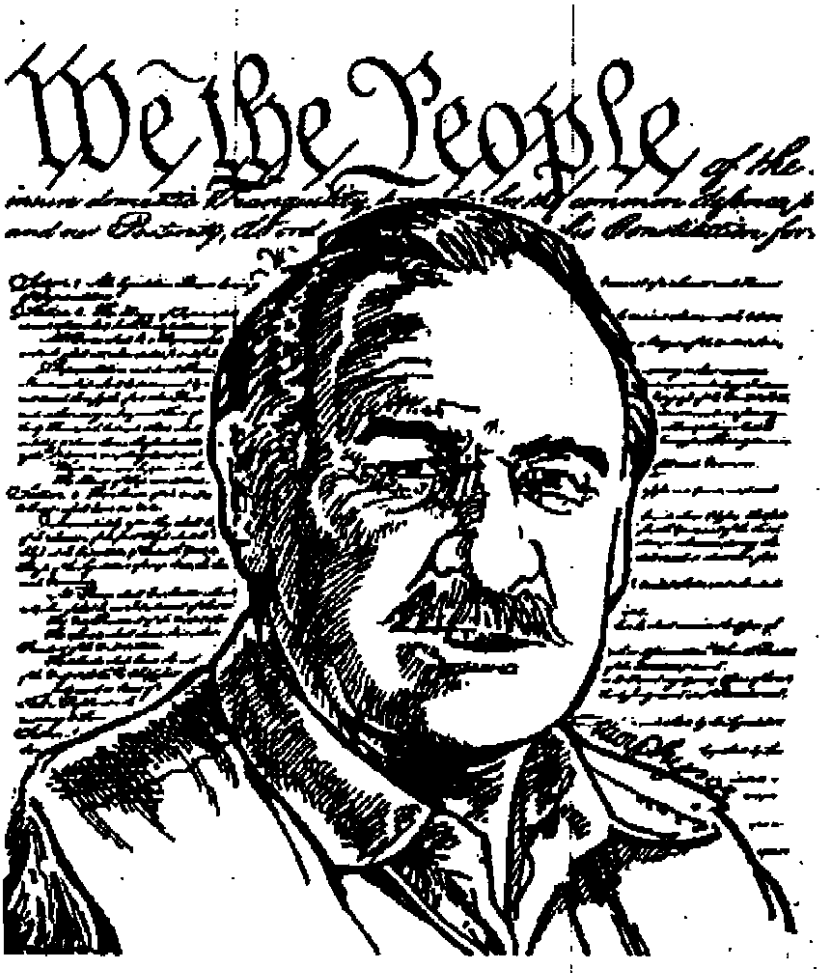
The "President's" role in ending the national emergency is crucial because, although Congressional approval was required to initially grant the emergency powers to the Executive, once the those virtually absolute powers were granted; no one but the almighty President Dictator himself could return them. In other words, if every Representative and Senator in Congress voted unanimously to end the national emergency, the vote would carry as much weight as if they voted to end aging, gravity, and death. Just as the people in the Bible once insisted on having a king (and came to regret it), the 1933 Congress also created an American "king". And so long as that "king" rules, we shall regret it because we are all relegated to a status somewhat like a POW.

Before and After

Before 1933, if you wanted to drive your car, all you needed was some gas. Since 1933, you need a license. And a registration. And insurance.

Before 1933, the federal government could not impose a direct tax on American citizens. Today, we are required by statute to file returns and pay income tax.

Before 1933, if you wanted to marry, you went to a church. Today, you must first get a "marriage license".



Before 1933, having a baby was a natural event. Today, it is a political event that requires a state issued "birth certificate" and social security number.

Before 1933, you were free to ingest virtually any substance you could afford to try. At one point, Coca Cola (the "pause that refreshes") was made with cocaine. Did we become a nation of drug addicts? Nope. Today, cocaine, tryptophane, antibiotics, anti-cancer agents, and soon, perhaps even vitamins are regulated or even prohibited by the Food and Drug Administration.

What happened in 1933? The "national emergency" was declared. Under that unending emergency, you and I are being *licensed*, *regulated*, and *taxed* into oblivion -- just like our German "enemies" during WWI. As a result, the entire federal government is now based on the seemingly endless "national emergency" of 1933.

Dr. Gene Schroder

How do I know about the "national emergency" and the Emergency War Powers? Because I've read the research and heard the speeches of Dr. Gene Schroder, the veterinarian and farmer of Campo, Colorado, who first recognized the significance of the Emergency War Powers.

Why do I believe Dr. Schroder's seemingly incredible theory? Because:

1) Dr. Schroder's research, though ongoing, is strong, solid, rational, and so far uncontested; and,

2) Dr. Schroder's research has been recognized, endorsed, and is now being advocated by a number of political organizations and figures. The principal endorsing organizations are:

a) the 1994 Republican Governors Conference held in Williamsburg, Pennsylvania;

b) the 1994 California State Republican Assembly; and most recently,

c) the Republican Party of Texas (the single largest state Republican party in the USA).

It's one thing to advocate the various "patriot" theories that appear regularly in the *AntiSkyster*. Sometimes we're right, sometimes we're close to right, and sometimes -- despite our best intentions -- we may be badly mistaken.

But when three separate "professional" entities begin to not merely consider, but endorse, and then advocate a theory as extraordinary as Dr. Schroder's, you gotta believe.

This next section is a verbatim copy of the recent Resolution by the Republican Party of Texas. Note that this Resolution was passed *unanimously* (that's almost unheard of) and is *now* an official *plank* in the 1996 Texas Republican Party Platform:

Texas Republicans Adopt Resolution

The Republican Party of Texas, Executive Committee, by unanimous vote on June 17, 1995, adopted the following Resolution #5:

Whereas, The Republican Party of Texas recognizes that acts of the Congressional body and the Office of the President of the United States of America created an emergency condition, and that on and after March 6, 1933 and March 9, 1933 the same said Public Offices effectively impaired and suspended the Constitution for the United States of America under pretense of these same created emergency conditions, and that the impairments and disabilities yet exist and are in full force and effect throughout the Nation and several States of the Union as of the date of this resolution; and

Whereas, there has occurred continuous breach of trust, duty and obligation imposed under authority of the Constitution for the United States of America, resulting in a continued abridgment of the Rights, Privileges, Immunities, and Liberties of Citizens and others, all committed under pretense of a continuing national crisis and furtherance of emergency conditions; and

Whereas, in the "Foreword" of the United States Senate Report 93-549 it states "Since March 9, 1933, the United States of America has been in a declared state of national emergency which has not been resolved during the last 62 years"; and

Whereas, Senate Report 93-549 admits and professes that "This vast range of powers taken together confers enough authority to rule our country without reference to normal constitutional process"; and

Whereas, in Title 12 United States Code it is arbitrarily declared that "The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March 4, 1933, pursuant to the authority conferred by subsection (b) of the Act of October 6, 1917, as amended [12 USCS sec 95a], are hereby approved and confirmed. (Mar. 9, 1933, c.1, Title 1, sec. 1, 48 Stat. 1.)". We therefore recognize that every order issued by the President since March 9, 1933, or any order issued thereafter was and is automatically approved and confirmed. These powers being conferred under purported authority of the Act of October 6, 1917, are wrongfully used against the several States of the Union and the People (See *Stoehr vs. Wallace* 255 US 239); and

Whereas, our forefathers recognizing these same conditions wrote to the British Parliament and King of Great Britain in The Declaration of Rights of 1774:

"Whereas, since the close of the last war, the British Parliament, claiming a power of right to bind the people of America, by statute, in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others, under various pretenses, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties but for the trial of causes merely arising within the body of the county.

"And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the Crown alone for their salaries, and standing armies kept in times of peace."

Today under pretense of the emergency and reorganization the mischief has been recreated and reinstituted within the Nation and several States of the Union, and has once again left the people without any plain, speedy or adequate remedy, and is wholly contrary to the true original extent and end of the Union and civil Government as ordained and established by the People; and

Whereas, In November 1994 our Republican State Governor unanimously adopted the Williamsburg Resolve. In it, they said: "The challenges to the liberties of the people . . . comes from our own Federal government that has defied, and now ignores, virtually every constitutional limit fashioned by the framers to confine its reach and thus to guard the freedoms of the people" and that "Federal action has exceeded the clear bounds of . . . the Constitution, and has violated the rights guaranteed to the people"; and

Whereas, George Washington forewarned the Nation and several States of the Union in his 1796 farewell address. "If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument good, it is the customary weapon by which free governments are destroyed. . ."; and

Now, Therefore, Be It Resolved that the Republican Party of Texas being duly apprised of the continuing emergency declared on March 9, 1933, demands that the Gold and Silver Coin be fully reinstated and maintained as the lawful money and tender of payment of debts within the United States of America, and that all and all notes and obligations hereto-

or hereinafter issued be brought back to and maintained at par value with the said Coin"; and

Be It Further Resolved that The Republican Party of Texas hereby demands the rescinding of the Emergency Banking Relief Act of March 9, 1933 and all subsequent related acts thereunder and demands a Presidential proclamation terminated thereby returning the United States of America to its original peacetime Constitutional Republic.

A Lonely Field

Ed Petrowsky (of Pratt, Kansas) is one of Dr. Schroder's principal supporters and research assistants. Both are farmers. Back about 1992, as they walked across a frozen wheat field, Dr. Schroder explained his Emergency War Powers theory to Mr. Petrowsky.

After a while, Ed asked, "Gene, how many people know about this?"

Dr. Schroder grinned and said, "Just you and me."

It is not unreasonable to argue that the future salvation of this nation was resting on the shoulders of those two men back in 1992. I can't help but think of Biblical story about the Walls of Jericho; how tens of thousands of heavily armed soldiers were available to assault the city, but God used only a few hundred armed with trumpets and clay pots.

Can you imagine? Two farmers, alone in field, preparing to take this country back. Can you imagine the incredible audacity to even hope they might one day succeed against the mighty federal government? Heck, anyone listening to them back in '92 would've told 'em they must be nuts, cuz there ain't no way a couple of farmers can lock horns with the entire federal government.

And yet, just three years later, Dr. Schroder's incredible theory is not only espoused by patriots across the country, but even by elements of the Republican party. And as I write, a group of U.S. Congressmen are laying plans to publicize and then end the National Emergency, end the Emergency War Powers; and restore the Constitution to the status of supreme LAW rather than supreme public policy.

"How many people know about this?"

"Just you and me."

Can you imagine?

With God's grace, your children will one day watch that scene played out in movies about the heroes who saved the United States of America.

Which is why I've put Dr. Gene Schroder's picture on the AntiShyster's first photographic cover: There is no one else in the entire USA who's done as much to restore this country's Constitution and freedom. No one else even comes close. No group comes close. Not even Newt Gingrich and the new Republican Congress.

Remember the Republican's 1994 "Contract With America"? It was an extraordinary concept and deserves as much credit for the hope it inspired as the good it actually achieved. But it was a triviality compared to Dr. Schroder's research into the Emergency War Powers.

If the Republicans can fully implement their "Contract", this nation will be hugely improved, but not fundamentally changed. We might step back from the brink, but we'd still have a President-Dictator to shove us over the edge when the people cool down and regain their natural apathy. In fact, under the Republican's "Contract", the most we can really hope for is a slower rate of government growth and a new constellation of government-approved special interests.

But if Dr. Schroder's work is fully implemented, if the "national emergency" is ended, if the American people are released from the current status as "enemies of the state" and the Constitution restored as law -- somewhere between 70% and 90% of our federal government will simply *cease to exist*. Virtually the entire federal regulatory apparatus -- the entire *bureaucracy* -- finds its legal foundation in the Emergency War Powers. End the national emergency and almost every "alphabet-agency" will simply disappear since they have no Constitutional foundation. OSHA, FDA, FCC, CIA, FBI, FTC, NASA, TVA, and even the IRS will all be *gone*. Not forced to operate under a more restrictive budget, not cut by 10% or 20% or even 50% -- but GONE, ended, over, goodbye.

Now do you see the significance of Dr. Schroder's work? Why no other American patriot that can rival his achievements and potential?

Dr. Schroder's Continuing Research

The research is endless and often surprising. For example, it now appears that the national emergency has been enshrined at the level of state government also. Dr. Schroder explains:

Our office recently received from Jeffrey M. Buske, a list of Emergency Powers statutes enacted by the Colorado State Legislature. The first act was passed during the emergency of 1921 and was followed by a series of acts which effectively brought the Presidential Executive Orders of the 1930's into the jurisdiction of the State of Colorado.

Mr. Buske states: "My study of these and other bills shows clearly that the State and Federal governments, working in concert, have reduced the American people to serfs on their own land. This encroachment has been stealthy, but deliberate and finally overt during the 1930's when the yoke was firmly attached."

A brief list of some of the bills follows:

Regular 1933 Session

HB-30 Administration Of The State Government 11 April 1933 page 205: *Abolishes* all the state agencies, departments, bureaus etc. Transfers them under the executive branch organized by department of Finance & Taxation, Auditing, Law, Education and State.

HB-575 Bank And Banking 9 March 1933 page 258: Declares bank holiday, limits bank withdrawals and other things.

HB-349 Provide Building And Loan Code For Organization Of Loan Associations 8 June 1933 page

28-1: Sets up organizational structure for building and loan associations, allows foreign corporations to participate.

HB-559 National Guard 4 May 1933 page 705: Moves the "Organized Militia" from control of the Governor to the control of the Department of War.

SB-71 Marriage License 8 April 1933 page 679: Places the union under the Jurisdiction of the District Court.

SB-327 Acquisition Of Easement 9 May 1933 page 496: State takes eminent domain of shore line, by simply adding fish. Turns over access to the Federal Departments of Agriculture, Forest Service and Interior Department.

HB-172 Inheritance Tax 20 May 1933 page 554: Imposes inheritance tax on real, personal and intangible property.

HB-270 Colorado State Relief Committee 11 May 1933 page 385: Enable State to loan from the Reconstruction Finance Corporation: to provide relief work and other things.

SB-139 Taxes Personal Property 25 April 1933: To facilitate the collection of personal property taxes.

2nd Extraordinary Session 1933-1934

HB-67 State Industrial Recovery Act 29 January 1934 page 78: State cooperating with the federal government.

HB-19 County Treasurer Deposit Funds In Banks 11 January 1934: Requires counties to deposit all funds in Colorado Banks. Also allows counties to purchase bonds from the US government or instrumentality and keep securities in banks.

License-Stores 6 November 1934 page 1090: Requires a license to open any store in Colorado. Sta store fee $2.50/year, penalty $200/ ($133,225/year) for violation.

Regular Session 1935

SB-433 Disposition Certificates Of Purchase 16 Febru 1935: Allow counties to sell prope taken from tax liens.

SB-690 Birth Certificates April 1935: Issuance of bir certificate to adopted children.

HB-894 Emergency Sales T 2 February 1935 page 100 Establishes excise tax on retail sales.

SB-6 Establish A Sta Highway Courtesy Patrol 10 Ap 1935 page 470: Establishes the St police to enforce the motor vehi revenue laws.

Subsequent investigation of t Nebraska state statutes has uncove laws similar (the wording is of identical) to Colorado's, and we exp that most other states will have same laws passed in the same ti frame.

I would like to have studies this type from each of the states. anyone has such information, ple send it to A.A.M., P.O. Box Campo, Colorado 81029. The Cas office receives many requests for type of information each day. Y help is needed on this project.

Over the next months and ye the AntiShyster will hopefully ev into a more technically sophistica publication. Unlike this issue's attempt at a color cover printed standard paper, we may one day h glossy covers with sharp photos brilliant colors that jump out and folk's attention.

But no matter how "slick" covers become, we'll never have a subject for our covers than Schroder. The last time pat Americans did as much for this co as Dr. Gene Schroder, they signed names with quill pens on parch documents that are still enshrin the National Archives. Dr. Schro one of those rare individuals who made this country great -- and God's blessing -- will do so again.

The Montana 'Freemen' Now Take on the Courts

Threats, bogus complaints clutter the justice system.

BY WYNN MILLER
SPECIAL TO THE NATIONAL LAW JOURNAL

A LOOSE COALITION of farmers who call themselves "freemen" is clogging Montana's court dockets with outlandish lawsuits and "bogus legal documents," according to judges and state officials.

In addition, the freemen—whose ideology is an amalgam of secessionism and disdain for paper currency—have threatened judges, law enforcement officers and other public officials; accused them of conspiracy; and issued "warrants" for their arrest by "freemen's common-law courts." In the past year, freemen have been arrested on charges of terrorism and have had property seized for nonpayment of taxes.

In response, the Montana Legislature this year strengthened the law against threatening the family or property of a public official, raising the crime to a felony and increasing penalties. Using those statutes, judges have fined the freemen for abusing the court system, and prosecutors have added threatening public officials to the list of charges that often accompany freemen's arrests.

In a case in April, John Connor, head of the Montana attorney general's local government assistance bureau, filed threat charges at the arraignment of Joe Holland, director of the American Volunteer Militia and a self-described freeman who tried to help another flee Montana to avoid prosecution. Before he was charged, Mr. Holland made a mass mailing, on official-looking stationery, accusing judges and other officials of conspiracy and collusion.

Mr. Connor, who works with three deputy attorneys general, said he has received "warrants" for his arrest, issued by freemen's common-law courts. "We just have drawers full of this crap," he said.

Mr. Connor estimated that he spends one-quarter of his time dealing with freemen and militia cases. "Theres no other single area that I have spent so much time on in the last year."

Rambling Diatribes

The freemen's court documents, submitted attached to standard legal forms, usually demand large sums of money in gold or silver coin. The freemen prefer specie over paper currency, which they deem worthless because it's a product of the government.

and the court system. One such document, filed in February by Rodney O. Skurdal of Roundup, Mont., demanded that the state attorney general and his staff renounce their offices and admit that the state is a corporation in breach of contract with the "Preamble People," a term he uses to describe Montanans who share his beliefs. [NLJ, May 8.] The document describes Mr. Skurdal's home town of Roundup as "without" the United States, and demands $500 million in gold or silver coins.

In response to one of Mr. Skurdal's court filings, Montana District Judge Roy C. Rodeghiero barred Mr. Skurdal and his group from filing "frivolous, irrelevant, immaterial, unlawful, invalid or vexatious actions, pleadings, liens or other documents" and imposed a $5,000 fine for abusing the judicial system.

According to Will Hutchison, chief of the Montana Justice Department's Agency Legal Services Bureau, the department's civil division, Mr. Skurdal and his sympathizers have filed so many actions against the government or officials that the cases have made up more than half of the division's caseload.

"We've had tremendous amounts of pleadings," Mr. Hutchison said, "literally volumes—some inches thick." In 1993-'94, they made up 30 of the agency's 40 open cases.

Blame Put on Government

Many of the documents claim the freemen were induced fraudulently by banks to borrow money to hold on to failing farms that have been in families for generations, Mr. Hutchison said. Montana Attorney General Joseph P. Mazurek said the group "comes out of the agricultural community. When they get into financial trouble and can't pay back their loans, they blame it on government, saying the money's no good since we went off the gold standard."

Mr. Hutchison said that most of the cases involved protesting taxes, claiming that the taxes are unconstitutional or don't apply to freemen because they live unencumbered by the state.

Though the suits are dismissed on summary judgment, they frequently return to court as amended complaints, often within days, accusing government officials of malfeasance or treason, often seeking deportation and sometimes death by hanging. Usually the cases are filed pro se; most attorneys won't take the litigation for fear of inability to recover their costs.

"It becomes extremely frustrating," Mr. Hutchison said, "because lawyers are

cording to judges and state officials.

In addition, the freemen—whose ideology is an amalgam of secessionism and disdain for paper currency—have threatened judges, law enforcement officers and other public officials; accused them of conspiracy; and issued "warrants" for their arrest by "freemen's common-law courts." In the past year, freemen have been arrested on charges of terrorism and have had property seized for nonpayment of taxes.

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Rambling Diatribes

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The documents contain long, rambling diatribes against the government [illegible] States, and demands $500 million in gold or silver coins.

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solve disputes satisfactorily
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terminate disputes before

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Atty General's office:
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Wisconsin State Journal, Saturday, July 1, 1995

Militias, protesters form 'Supreme Court' in western Wisconsin

By Richard W. Jaeger
Regional reporter

A citizens' Common Law Supreme Court, backed by a citizens' militia, has been established in 10 counties of west central Wisconsin, its organizers say.

The court, which is not officially recognized by existing government agencies, is the latest ploy of anti-government protest groups across the country to give "the second-class citizens who are engulfed in statutes, a separate and voluntary jurisdiction common law venue."

The controversial protest group known as Family Farm Preservation, based in Tigerton, is behind the court, which claims jurisdiction in all of the state's 72 counties but in particular Columbia, Crawford, Juneau, La Crosse, Manitowoc, Portage, Shawano, Taylor, Trempealeau, and Waupaca Counties.

Family Farm is believed to be the new name for the old Wisconsin Posse Comitatus, a controversial anti-government, anti-banking protest group of the 1970s that was involved in paramilitary training and whose members often carried arms.

The Wisconsin State Journal reported earlier about a group of disgruntled citizens from the Grant County area that met in Dickeyville March 5, to organize a similar court.

The organizers of that court, however, held off taking final action to put the court into existence saying they wanted more information.

They also expressed concern about distancing themselves from Family Farm Preservation.

Jason Hall, a Family Farm Preservation spokesman, lists himself as a notary on the legal advertisement the new court has published in the Manawa Advocate.

But he also was listed as a clerk for the proposed court in Dickeyville. Two other signers of the court's list of rules, Todd Verdone, and Dennis St. John, are known Posse members.

The court claims it has jurisdiction as "court of record" simply by notifying the county clerk and recorders.

Mark Hazelbaker, corporation counsel for Juneau County, disagrees. He said his county does not recognize the citizens court. "Juneau County is not surrendering control to the supreme court," he said after the group filed its list of rules with the Register of Deeds there.

The public notice claims the citizens' court will be enforced "by militia protections *vi et armis*," Latin for "by force of arms." It also will be ruled by male justices with "no exceptions," according one of its 23 rules.

The citizens court, according to its rules, has no courtroom and bans "lawyers, solicitors, attorneys, proctors, advocates or corporations unless granted leave by our Supreme Court Justices."

The group sees lawyers as a "controlled title of nobility" granted by the State Bar of Wisconsin.

According to Hall, a proclaimed missionary from Chicago, the citizens supreme court is founded in the Constitution, the Magna Carta and the Bible.

County of La Crosse
OFFICE OF DISTRICT ATTORNEY
County Courthouse • 400 4th Street North • Room 206 • La Crosse, Wisconsin 54601-3200

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Restitution:	(608) 785-9607
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TODD W. BJERKE — *Asst. District Attorney*
RONALD J. KIND — *Asst. District Attorney*
ROBYN R. DVORAK — *Asst. District Attorney*
TIM GRUENKE — *Asst. District Attorney*
ELLEN KREGER — *Victim/Witness*
MAUREEN HICKEY — *Deferred Prosecution*

December 5, 1995

The Honorable Joanne B. Huelsman
State Senator
State Capitol
PO Box 7882
Madison, WI 53707-7882

Re: Senate Bill 437

Dear Senator Huelsman:

This letter is in response to your request for my input regarding Senate Bill 437 which is intended to deal with the problem of bogus "common law courts" established by various groups around the State. I will not be able to personally attend the hearing on December 6, 1995 due to work in the La Crosse County District Attorney's Office.

In 1994, I was the prosecuting attorney involving a local dentist who was later found guilty of failing to file Wisconsin State Income Tax Returns pursuant to Sec. 71.03 Wis. Stats., here in La Crosse County. Due to the prosecution and conviction of the dentist, I have been personally served with various suits in "common law court" demanding my appearance at scheduled hearings to be held at various locations in La Crosse County. Based on my personal experience in having to deal with "common law courts," I fully support the intent and purpose of the legislation that you are proposing.

I am in favor of expanding the current prohibition under Wis. Stat. Sec. 946.68 and by removing the requirement that the simulated legal process be sent or delivered with just the intent to induce payment of a claim. In the case that I confronted, the documents served upon me which purported to be "legal documents" and "subpoenas," had two objectives: (1) to obtain the immediate release of the convicted dentist from the local jail; (2) to obtain judgments in excess of $1 million against the participants of the criminal case against the dentist. These individuals included the presiding judge, the sheriff of the county, the Attorney General of the State of Wisconsin, the District Attorney in La Crosse County and myself, the prosecuting attorney. The documents contained a date and time when the "common law court" scheduled the hearing and demanded my appearance. I did not attend the hearing and as of today's date, the "common law court" has not attempted to enforce any judgment against me. But I am not confident that we have heard the last of these "courts" here in western Wisconsin.

I am also in favor of the expanded penalties as proposed in the new bill. I prosecuted another criminal case in 1995 against a local chiropractor again for failing to file Wisconsin State Income Tax Returns. In that case, although the chiropractor was a member of the same group of malcontents as the dentist, after the chiropractor realized the serious consequences he faced by proceeding under the same defiant philosophy as the dentist, the chiropractor retained a private attorney and entered into a negotiated plea agreement with my office. He pled guilty to two of the three criminal charges pending against him. The quick resolution of this matter can be attributed to the penalties the chiropractor faced and the impact that the criminal charges would have on his professional practice. Therefore, the threat of serious consequences can act as a credible deterrent to those who might consider engaging in such activity. It will also provide law enforcement officials such as myself with the necessary tool to curb the attempted intimidation and harassment by these groups.

Thus far, there has been no violent or aggressive activity associated with this group in western Wisconsin but I am, however, concerned that these groups are capable of more extreme action. For instance, in one of the "legal documents" served upon me in July, 1995, one paragraph read:

> "The pen is mightier than the sword, but when the pen is taken away, and there is no recourse is available than that leaves only the sword (sic), and the innocent pay the price for the wrong of others, and my (sic) GOD have mercy on all of us."

This document, along with the others that I am enclosing for your review, was sent by "The People, Freemen Characters of the County of Wisconsin of Our Nation in America, duly appoint as special justices in this cause of action for this PRIVATE suit of the Sovereign and will specifically appoint qualified and learned in the Law justices ... who do not receive his/their pay from the United States in any other manner than whil drawing his/their pay from the Treasury of the United States of America and not from the Department of the Treasury (no commissioners)."

As you can see from the copies of the documents enclosed, the material is nonsense and is almost impossible to understand and repond to. To review such simulated legal process requires substantial court and attorney time to determine if we first need to respond, take any action, or forward it onto the Attorney General's Office for their consideration. Furthermore, the threat of having judgment liens placed on the individual property of public officials is an annoyance and can become terribly burdensome if the Register of Deeds Offices do not prevent the filing of such liens. Here in La Crosse County, for instance, such liens have been attempted by past defendants but, fortunately, the personnel in the Clerk of Court's Office were aware of the underlying motive and prohibited the filing of such liens.

There are perhaps four suggestions that I would make to your proposed bill:

(1) Allow for the existence of a Class "A" Misdemeanor as a potential penalty if the perpetrator ceases all further criminal activity immediately. This will provide prosecutors better charging and disposition options given the many nuances that often arise in these situations.

(2) Provide a penalty to be left to the court's discretion which would revoke for a period not to exceed three years any professional license held by the perpetrator;

(3) Provide a penalty, again left to the court's discretion, which would allow for the revocation of all state licensing approvals issued to the person and prohibit the issuance of any new approvals under Chapter 29 of the Wisconsin Statutes for a period not to exceed three years, and for the suspension of the person's motor vehicle operating privileges for a period of one year.

(4) Provide for a penalty which would include the cost of investigation and prosecution in these matters, as was done under Wis. Stat. Sec. 71.83(2), Failing to File Wisconsin Income Tax Returns.

Thank you again for requesting my input on this legislation and I look forward to its successful passage.

Very truly yours,

Ronald J. Kind
Assistant District Attorney

RJK:pjg

Enc.

CC: Senator Brian Rude
Assemblyman Mark Meyer
Assemblyman Mike Huebsch
District Attorney Scott Horne
Judge Dennis G. Montabon
Assistant Attorney General James Mc Dermott

Joanne B. Huelsman
WISCONSIN STATE SENATOR

November 30, 1995

TO: Members, Senate Judiciary Committee and other interested persons

FR: Senator Joanne B. Huelsman, Chair
Senate Judiciary Committee

RE: Background Information on SB 437 -- the "militia court" bill

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Senate Bill 437 is on the agenda for the December 6, 1995, public hearing. I have attached some materials to provide you with background information on the bill.

Representative Nass and I introduced Senate Bill 437 in response to the recent emergence in Wisconsin of so-called "common-law courts." These private tribunals, often established by extremist militia organizations, regard themselves as a law unto themselves and threaten to undermine our existing judicial system.

As illustrated by the attached materials, these groups, both nationwide and in Wisconsin, have targeted public officials for intimidation by means of bogus liens, subpoenas, arrest warrants, and other sham legal process. In addition to raising the penalties for the existing crimes of criminal slander of title and impersonating a public officer, SB 437 significantly expands the current ban on simulating legal process to outlaw all sham legal process.

The intent to SB 437 is to provide a credible deterrent to those who might consider violating existing laws and to provide a useful tool for law enforcement to curb intimidation directed at public officials, including judges and prosecutors.

Attached to this memo are three recent articles and one editorial that address the emergence of "common-law courts" in Wisconsin. I have also appended two articles addressing the severe problems that the state of Montana has experienced with similar militia tribunals. Also attached are copies of recent testimony before the Crime Subcommittee of the House Judiciary Committee, which recently held hearings on the militia issue. The attached testimony includes that of a district attorney from Montana and the director of the Ohio Bureau of Criminal Investigation, detailing their respective experiences with, and insights into, the "common-law court" issue. Finally, I have attached letters from Judge Dennis Montabon of La Crosse and District Attorney Gary Bruno of Shawano County. The example of sham legal process that Judge Montabon refers to in his letter is available for review in my office.

Please feel free to contact my office for further information.

STATE CAPITOL: P.O. Box 7882, Madison WI 53707-7882 · 608-266-2635
WAUKESHA: 235 W. Broadway, Suite 210, Waukesha WI 53186-4832 · 414-521-5010 or 414-521-5165
Toll-free Legislative Hotline: 1-800-362-WISC (9472)

News from the desk of

JOANNE B. HUELSMAN

State Senator, 11th District

FOR IMMEDIATE RELEASE
December 6, 1995

Contact:
Adam Korbitz
(608) 266-2635

HUELSMAN CONFRONTS ANTI -GOVERNMENT EXTREMISM

(MADISON)--State Senator Joanne B. Huelsman, chair of the Senate Judiciary Committee, today called on fellow legislators to curb the illegal activities of extremist-sponsored secret tribunals in Wisconsin and to punish severely any effort to intimidate public officials from performing their lawful duties.

Huelsman (R-Waukesha), testifying before a public hearing of the Judiciary Committee, told committee members that so-called "common-law courts" subvert the legal system by means of harassment and intimidation directed at public officials and private citizens.

"These groups threaten to undermine our existing judicial system by terrorizing public officials, including judges and prosecutors," Huelsman told the committee. "The question facing us is whether we act now and prevent a tragedy or whether we delay and respond only after a tragedy has already occurred."

The bogus courts, often established in Wisconsin and nationwide by shadowy militia groups, frequently use tactics of threats and harassment to intimidate public officials and private citizens. Common tactics include encumbering victims' real estate and personal property with bogus liens and harassing them with all types of sham legal documents. Within the past few months, at least two groups have established such tribunals in Wisconsin. Some have even issued subpoenas and arrest warrants.

Similar bogus courts in other states have engaged in violence directed at public officials.

"These bogus courts have no right to attempt to exercise court jurisdiction over other people without their consent," Huelsman told committee members. "They have no right to impersonate public officials, they have no right to encumber the property of others with bogus liens, and they have no right to intimidate and harass officials and citizens with all sorts of sham legal documents."

Huelsman urged the committee to endorse Senate Bill 437, which she authored. The bill would raise the penalties for the existing crimes of criminal slander of title, simulating legal process, and impersonating a public officer. Currently, most of these crimes are misdemeanors. Huelsman's bill would elevate the penalties for all three crimes to the felony level. In addition, the bill would significantly expand the prohibition on simulating legal process to prohibit all sham legal process, not just that intended to induce payment of a monetary claim.

"The judiciary is the weakest branch of government," Huelsman reminded the committee. "It cannot pass laws to protect itself. The legislature must make sure that the penalties in our statutes are strong enough to discourage outlaws. Otherwise, those statutes are meaningless."

"We cannot allow any self-appointed, secret tribunals to undermine our democratic institutions by means of outrageous intimidation," Huelsman concluded.

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'Freemen' insist they are beating government at its own legal game

LeRoy Schweitzer and Daniel Petersen might already be in custody, but their associates maintain that it will be impossible for the regular court system to try the two leaders of the so-called "Freemen" anti-government organization.

"We're loving every minute of this," said Kenneth Kraklio of Davenport, Iowa, who knows both Schweitzer and Petersen and shares their common-law court beliefs. "He [Schweitzer] has the corporation of the United States of America 'liened up' to its eyeballs, and they [Freemen] will not drop those liens under any circumstances."

Kraklio claims that President Clinton himself has appealed to Schweitzer to lift liens he placed against U.S. government assets, but Schweitzer has refused. The claim remains unsubstantiated, as Schweitzer and Petersen have been imprisoned without bail since their April 25 arrests by federal authorities. The White House did not immediately respond to a request for comment.

Nonetheless, Kraklio insisted, "Believe me, it's true...At long last, the people are starting to take back their own government." Kraklio himself has been convicted of fraud charges similar to the ones faced by Schweitzer and Petersen and faces thousands of dollars in fines and a four-year prison sentence. His case is under appeal.

Unlike Kraklio, Schweitzer and Petersen have denied the existing courts any jurisdiction in the case. Kraklio said that the only court in which such a case could be legally heard would be a common-law court.

As evidenced by a videotape acquired by *Media Bypass*, the two men stepped up their common-law seminars after the bombing of the Oklahoma City federal building last year, and told seminar participants that they expected to be arrested at any time.

The federal government accuses Schweitzer and Petersen of committing "paper terrorism" against public officials in Montana — attaching liens to the property of various public officials who, in the Freeman's view, have not properly executed their duties and oaths of office. At the time of their arrests, Schweitzer and Petersen, and other Freeman followers, remained holed up on the isolated ranch in Garfield County. Hundreds more Freeman-trained seminar participants across the nation might soon find themselves indicted by the federal government on similar charges.

In a taped seminar on April 26, 1995, only a week after the terrorist bombing that killed 168 people and destroyed the Alfred Murrah Federal Building in Oklahoma City, Schweitzer and Petersen openly admitted they were challenging the existing legal system. "We hope we don't have to go any further," said Petersen in reference to the bombing. "We hope they got the warning." When asked by a seminar participant to clarify that statement, Petersen declined. He instead calmly detailed the Freeman position regarding the "illegal" banking and court systems which he said are used to persecute people who are turning to "common law" to challenge government "abuse."

"They know that what we're teaching out of here is true and they hate it," insisted Petersen, who claims that the Freemen are merely holding the government to its own rules.

"If it says it in their own rule book, they have to follow it," Petersen said. "Let's push it down their throats."

Schweitzer's views appear more convoluted than Petersen's, charging that the current "lawyer-judge cartel" is ruling by decree and not following its own guidelines. Further, Schweitzer insists, the Freemen are using the only means at their disposal to challenge judges and other government officials who are themselves guilty of alleged illegal activities.

"Law school [students] are trained into the sub-culture — socialism," Schweitzer stated, staring above his reading glasses with his characteristic penetrating glare. "They thought we [people] were ready for it. They eat you up. They're parasites. They'll exist only because you let them."

Schweitzer went on to claim that the current legal morass was triggered in 1860 when President Abraham Lincoln seized control of a floundering federal government following the exit of the Southern states just prior to the Civil War. Such a view is consistent with other common-law activist groups, such as the American Jural Society (*Media Bypass*, April 1996).

"Honest Abe wasn't so honest," Schweitzer said.

Freeman ideology stems from the origin of man as detailed in the Old Testament book of Genesis, Schweitzer said. "In the Garden of Eden on the seventh day, God created the venue under the supreme law of the land — the 'peculiar jurisdiction.'" In other words, God's law transcends man's law, a credo practiced throughout the patriot/militia community. These beliefs are internalized by countless thousands, perhaps millions, of people around the nation at present.

Despite similarities with other doctrines, the Freemen beliefs appear to be the most extreme, and have led to Freemen actually taking legal actions against government officials — and threatening to enforce those directives.

"We will enforce these warrants [against public officials] in good time," Schweitzer said. "You let the law move. You just concur ... That's why we're winning. It doesn't look like we're winning, but we're in a foxhole now and waiting to come out."

Schweitzer declares that Washington, D.C., is the modern-day "Babylon" as described in the Book of Revelation.

Schweitzer and Petersen have spent a large portion of their adult lives in law libraries, and have built their own library on the Freeman ranch where the seminars were staged. They insist they are acting within their rights so far, despite the federal indictment that indicates otherwise.

They have repeatedly interrupted court proceedings and have refused to enter pleas, refused to be fingerprinted and refused to recognize court jurisdiction in their case.

Petersen claims to have driven the mayor of Cascade, Mont., out of office through liens and has the sheriff of Musselshell County all "liened up." This has led to considerable friction between Petersen and many Montana officials.

"If the sheriff comes across the line [onto the Freeman ranch], I know he's going to be coming after me and I have every right to shoot him," Petersen said. "I don't want to, but he's no more than a thug, and we've got a bunch of thugs out there. They follow their own rules."

Schweitzer issued his own warning of escalated tactics as Freemen attempt to "serve papers" to targeted government officials. "As perverted as the system is today, we should take six or seven of us when we go to serve papers," Schweitzer said. "Everybody with a gun, everybody with a badge."

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Gerald A. Carroll is an adjunct assistant professor and program assistant at the University of Iowa School of Journalism and Mass Communication. He has researched alternative political groups for more than 20 years, and has authored a book, "Militia Nation," due to be published later this year by Northwest Publishers, Inc. of Salt Lake City.

By Michael W. Martin

The CAMPO BRIEF

Focus Focus

The examination of the Emergency War Powers Act of 1963

Editor's note: The following is a verbatim transcript of a lawsuit filed in July to the South Dakota Supreme Court.

IN THE STATE SUPREME COURT, HUGHES COUNTY, PIERRE, SOUTH DAKOTA, REPUBLIC/STATE

Writ of Certiorari

Michael William Martin, petitioner/ claimant v Circuit Court First Judicial District Bon Homme County South Dakota, Republic /State Defendant

STATEMENT OF CASE:

During World War I (WWI), the U.S. Congress passed the Trading With the Enemy Act (12 USC Sec. 95a, October 6, 1917). This Act was later amended into the Banking Relief Act of March 9, 1933 (Title 12 USC 95 (b); c 1, Title 1, Sec. 48 Stat. 1). By means of that amendment, the United States has been operating under WAR AND EMERGENCY POWERS since March 9, 1933.

Under the 1933 Banking Relief Act, the federal government declared the Bank Holiday of March 6, 1933, and relieved the banks from their contractual obligation to the American people of redeeming their Federal Reserve Notes in gold (the Federal Reserve Note originally constituted a warehouse receipt for real gold which the people had placed on deposit with the banks).

The original Trading With the Enemy Act of October 6, 1917, was enacted at a time when the United States was at war with Germany (WWI), and is therefore Constitutional under Article 1, Sec. 8 Cl. 11, U.S. Constitution:

"Congress shall have the power to declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures of Land Water."

The amended version (1933) of the original Trading With the Enemy Act (1917) was approved and passed by Congress on March 9, 1933. This amended version was enacted at a time when the United States was not at War with any foreign foe.

Further, the amended version (1933) was radically different from the 1917 version. In 1917, the jurisdiction of the Trading With the Enemy Act excluded all citizens of the United States. However, the 1933 version included citizens of the United States under its jurisdiction by adding the following language:

"By any person within the United States of any place subject to the jurisdiction thereof."

Under the amended version (1933) of the 1917 Act and by operation of law, the American people became the same (status) as the foreign "Enemy" of 1917. As such, all Americans were therefore subject to regulations, rules, licenses, orders and proclamations issued by the President of the United States or the Secretary of the Treasury since March 9, 1933 (12 USC 95b).

After the American people were declared to be "enemies," all legal and commercial intercourse became illegal, and the only way one could do business or any type of legal intercourse was to obtain permission from our government by means of a form of license (by law, a "license" is a permit to do that which would otherwise be illegal).

As you might expect, our government normally protects the United States by restricting the activities of "enemies." For example, we wouldn't expect the federal government to allow communist agents to travel freely or open a business in our country. Nevertheless, there are times when the government might allow members of an "enemy" nation to travel from New York to Chicago. For example, when athletes of the former Soviet Union came to America, our government granted them special permission ("licenses") to do that (travel) which would otherwise be prohibited for Russian agents.

That our government might "license" foreigners who might be enemies is unremarkable, but who-

ever imagined that our own government licensed us for the very same reason? Today, if one wants to travel, one has to have a Driver's license; if one wants to work, one must obtain a license (Social Security Card). It has sometimes been said, one will not be able to buy, sell, or trade without the Mark (Marque—License of Reprisal, Black's Law Dictionary, 5th ed.).

By Executive Order 2039 of March 6, 1933, and Executive Order 2040 of March 9, 1933, the belligerent (now) United States (federal government) acting under the War Power seized title to all gold (lawful, constitutional money), took physical possession of all the money, and left the American people penniless, bankrupt, and without means to lawfully pay their debts.

After the United States had seized title and took physical possession of the people's (lawful) money, the government found it necessary to issue a new form of currency in order for the people to carry on normal business transactions. This new currency was in the form of Federal Reserve Bank Notes (War and Emergency currency), and not Federal Reserve Notes (warehouse receipts for gold).

"This new money will be worth 100 cents on the dollar because it is backed by the credit of the Nation. It will represent a mortgage on all the homes and other property of all the people in the Nation" (Congressional Record March 19, 1933).

The people were now prohibited from being able to pay their debts at law (i.e. with lawful money/gold) and were forced to mortgage their goods and services to one of the banks or lending institutions in order to obtain Federal Reserve Bank Notes in order to discharge (not lawfully "pay") their debts. The people now being classified as the "enemy" also became the captured chattel property of the United States to secure the debt (Federal Reserve Bank Notes).

The governors of the states of the Union capitulated to the demands of President Roosevelt on March 6, 1933 (Roosevelt papers 1933). The former states of the Union became nothing more than political subdivisions or occupied territories of the belligerent corporate United States (Butler v. U.S. Supreme Court, 1936, Public Law 93-549).

The former judicial Courts (Court of Justice) now took silent judicial notice of the Maritime (International) In Rem jurisdiction, and took the role as Executive Officers (not Judicial) to enforce the Federal and State statutes in all cases whatsoever. The judges and lawyers in essence became nothing more than executive political hatchet men of their branch of government to enforce public policy statutes enacted by Congress and to enforce performance on this new commercial paper (Federal Reserve Bank Notes) in order to give it some sort of value.

Once the people were declared to be the "Enemy," they lost all their unalienable rights under the (unlawfully suspended) Constitution and Bill of Rights. Since 1933, the American people have had no unalienable rights to life, liberty, and property... unless (until) these presumptions are opposed, denied, and rebutted (Remedy—due process—5th and 14th Amendments, Constitution of the United States of America).

It is a matter of law that the Question of Jurisdiction can be raised at any time: Therefore, the only Question before our courts, and in this specific case, Circuit Court, Bon Homme County, First Judicial District, South Dakota Republic/State, is one of Jurisdiction in the matter of the estate of Louise C. Martin (Docket # 92-073), and particularly relating to a hearing held in said Court on June 29, 1993.

Further, Petitioner/Claimant asserts his Right to a hearing before this Court within its proper and constitutional jurisdiction, Sua Sponte, and demands this Supreme Court order said Circuit Court (Bon Homme County) to schedule a hearing relating to aforementioned docket # 92-073. This hearing to be held before this Court will have no gold-fringe (presumed Maritime/Admirality jurisdiction) arond the American flag...it will be a common law Court where all involved will have access to all unalienable Rights... realizing these are far beyond civil rights in significance. Petitioner/Claimant further submits that he had not "appeared" within any Court of Law regarding this matter of constitutional common law of inheritance.

Plaintiff/Claimant further submits that he is not an attorney and for the Court to read this Petition for its substance over the form.

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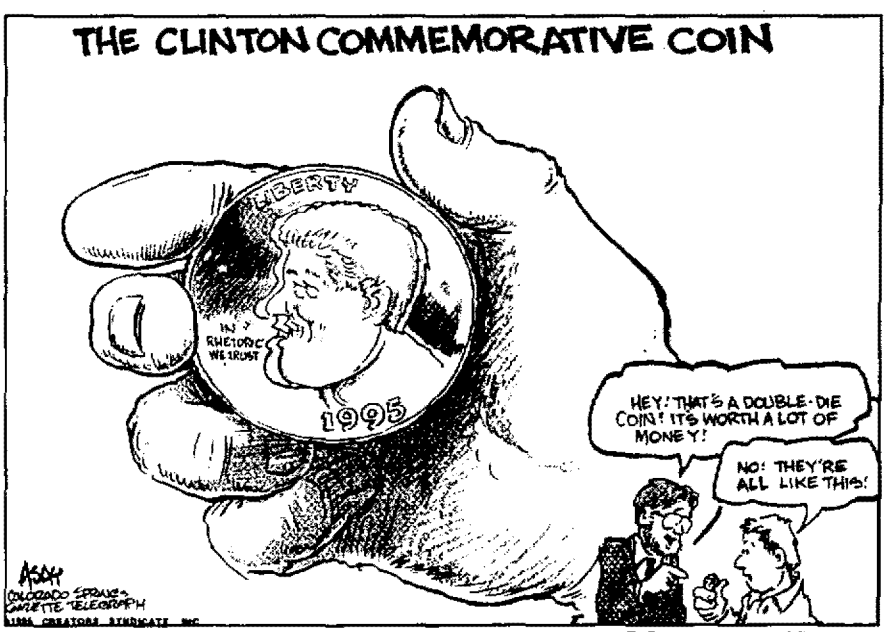

WISCONSIN

MILITIA LEADER PROPOSES JUSTICE FOR 'ORDINARY PEOPLE'

Common-law court system planned

Anti-government group says current process takes power illegally

By Peter Maller
of the Journal Sentinel staff

Manawa — A leader of an anti-government militia in Wisconsin says he has notified at least a dozen counties of plans to establish a common-law court system that would dole out its own form of justice.

"Common-law courts will tell the other courts what to do," said Donald Treloar, who describes himself as a commander of the militia. "Common-law courts are the highest authority in the land."

Treloar's group believes that federal and state courts have illegally taken power from "ordinary people." His court system is based on laws that "go back to the Old Testament," he said.

"We want to have a court where people can win for a change," said Treloar, a retired salesman, who said his justice system was based on the Bible, the U.S. Constitution and a law dictionary from 1828.

"If you go into (state and federal) courts, you're going to lose," he said. "We have proven that time and time again."

Attorney General James E. Doyle said organizers of these common-law courts risked facing criminal charges. The State Justice Department was investigating people who "simulated" processes that were part of the legal system, Doyle said.

His agency has received several complaints from Wisconsinites who were served with fake legal documents, he said.

Treloar never said which counties he has notified of his plans. However, Linda Pawluczek, who works in the Waushara County clerk's office, said Treloar's group had attempted to file "some type of papers," but that her office didn't know how to handle them.

"There was something that came across here that was kind of weird," said Pawluczek, an assistant deputy clerk. "We didn't know what to do with it, so we sent it up to the corporation council's office."

Operating in Minnesota

While common-law court organizers in Wisconsin continue to lay the groundwork for their judicial system, some state residents have traveled to Minnesota this summer for hearings and trials at common-law courts already in operation, Treloar said.

Organizers in Minnesota conduct sessions at the state capitol in St. Paul. They meet in an opulent conference room used by the state Senate. Treloar said the Minnesota common-law court sometimes shared the facility with representatives of common-law courts from Iowa, North Dakota and Wisconsin.

"We arrive at 10 in the morning and leave at 4 o'clock, before the custodians kick us out," he said.

A spokesman for the Minnesota Senate said that Rep. Charlie Weaver (R-Anoka), a state legislator, had requested permission for members of common-law courts to use a meeting room.

Facilities at the capitol are made available on weekends to "groups that serve a public purpose," Secretary of the Senate Patrick Flahaven said.

Though allowing common-law courts to meet in the building have raised questions about how the rooms should be used, "I don't think anybody's interested in throwing them out," he said. "I have been told they are well-behaved, and haven't created any problems."

Many Involve Custody

According to Treloar, at least 400 legal cases in Wisconsin are awaiting adjudication in common-law courts. Many involve parental custody, he said.

At a recent case tried in Minnesota, the court decided that a Wisconsin mother deserved to get back her child that a state court had placed with their father who is "an alcoholic and known drug user," Treloar said.

The father did not show up at the common-law court hearing. Although Treloar's court settled the case in favor of the mothe efforts to reunite the moth and child have failed, Trelo said.

Treloar said he was sworn by the common-law group as marshal, and was empowered serve legal papers. Commor law courts have no judges ar no lawyers, he said. Defendan are questioned by members of 12-person jury who are selecte by a common-law bailiff.

To serve as a juror, a perso must "have knowledge of cor mon law" and must "know th defendant," Treloar said. Th decision of the jury is final, h said. There are no appeals.

"The whole idea behind th is to eliminate frivolous cases, Treloar said. "A lot of the case you see in court are brough there so lawyers can make mor ey."

Common-law courts dea with all legal matters, excep those concerning contracts an interstate commerce, he saic The U.S. Constitution reserve those issues for state and feder al courts, Treloar said.

Renegade courts issuing threats

Many states, including Wisconsin, wrestle with common-law tribunals

By Katherine M. Skiba
of the Journal Sentinel staff

Law enforcement authorities in several states are struggling with anti-government extremists thumbing their noses at the nation's judiciary and setting up renegade tribunals of their own.

One estimate places the so-called common-law courts in at least 20 states, Wisconsin among them.

Consider the case of Martha Bethel, a city judge in the rugged reaches of western Montana. Her gavel won't be silenced despite repeated death threats.

The 40-year-old jurist has been warned that she'll be kidnapped and tried for treason. That she'll find her home battered with Molotov cocktails, or riddled with gunfire. That if she held night court in a neighboring community, as is her custom, she wouldn't survive the trip home.

Bethel, a single mother with three children, was not so calloused from earlier warnings that a fax sent in

Please see **EXTREMISTS** *page 20*

Extremists/Renegade courts issuing threats, officials say

From page 1

June, from a federal law enforcement official, didn't shake her to the bone.

It reported there was a contract for her life in Texas.

"Mommy," her youngest, a 10-year-old, asked one evening as Bethel peeled potatoes at the kitchen sink, "why would anybody want to hurt you?"

Bethel blames the Big Sky State's so-called "freemen," one of the nation's anti-government groups bent on papering a wide swath of the West and Midwest with bizarre legal ramblings emerging from common-law courts.

"Although they're a small number of people, they're very loud," says Bethel, who hears cases in Hamilton and Darby, Mont.

Of about 1,000 cases she's had this year, only three or four defendants espoused a belief in common-law courts.

Such courts operate in at least 20 states, says an official of the Militia Task Force, a project of the Southern Poverty Law Center in Montgomery, Ala.

Michael Reynolds, a senior intelligence analyst with the task force, says that in addition to Montana and Wisconsin, these states have common-law courts: Arizona, California, Colorado, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, Ohio, Oklahoma, Oregon, South Dakota and Texas.

"They have sprouted around the country like mushrooms," says Reynolds, who says unconfirmed reports from common-law court officials purport an even wider presence.

Bethel — among several Montana judges who have received death threats, along with sheriffs and prosecutors there — is rare for her outspokenness.

"This madness has gone on long enough for me," she says. "I don't care where you are, if everyone does not take responsibility for the fact that this is happening in America, I fear blood will be shed."

Threats against public officials are only part of the extremists' arsenal. Reports from other states show common-law court adherents have flouted laws ranging from requiring the purchase of license plates to paying income taxes. They have subpoenaed public officials and have tried to file multimillion-dollar liens against their property.

"Paper terrorism," some call it. At worst, it has led to violence.

In Modesto, Calif., the clerk-recorder for Stanislaus County was assaulted last January in her garage by a group of men. An elected official, Karen Mathews, 47, told a congressional panel that she was kicked and punched, a knife was put to her neck and an unloaded gun pointed at her head. The men "dryfired," pulling the trigger a number of times.

The assault was a warning, the men said. What set them off? Mathews says she refused to lift a $400,000-plus IRS lien against an anti-tax extremist.

"They've stepped over the bounds of protest, into terrorism," she says, waiting for a federal trial for members of the Juris Christian Assembly, blamed for the attack.

At the Militia Task Force, Reynolds says the common-law movement, more than 20 years old, has seen a resurgence stemming from a wide distrust of and anger toward the federal government, coupled with an explosion in communications technology.

"Those communications are faxes, computer bulletin boards, videotapes. What has been set up is an alternative media: shortwave broadcasts, satellite television broadcasts, the Internet, newsletters that can be produced inexpensively because of desktop publishing," he says.

"There are hundreds of thousands of people in America who feel disengaged for a variety of reasons and have been drawn into this movement that was engineered out of the racist right, the extremist hard right."

Montana Attorney General Joseph Mazurek knows that ire well. The latest bogus court action came his way in February, and attempted a $500 million lien against his property.

"It's the biggest collection of gobbledygook," Mazurek says of the lien. "They used a Uniform Commercial Code form (a standard document for commercial transactions) and at-

tached about 12 pages of very hateful, racist ramblings."

"Anarchists" is how Ohio Supreme Court Chief Justice Thomas Moyer characterizes his state's common-law court practitioners.

Among his concerns: An Ohio judge received an anonymous phone call warning, "We lost at the ballot box. We lost in the jury box. The only thing left is the cartridge box."

Moyer, impressed by Montana Judge Bethel's appearance before Congress last July, had her speak at an Ohio judicial conference in September.

Remarkably, Bethel discovered names popping up in common-law papers in Ohio of some of the same folks causing trouble in Montana. "It's almost as if they're mailing computer disks around," she says.

A 45-year-old Columbus, Ohio, carpenter named Bill Ellwood describes himself as the "chief justice" of "Our One Supreme Court in the Republic of Ohio." Ellwood says his court, formed in May, meets weekly in a Columbus suburb.

Ellwood claims the court's authority stems from a number of documents — among them the Magna Carta, Mayflower Compact, Federalist Papers and Declaration of Independence.

That common-law courts also are turning up in Wisconsin is not news to Ron Kind, an assistant prosecutor in La Crosse. He was slapped with a subpoena after putting a respected dentist behind bars for failing to pay state taxes.

The 32-year-old lawyer was ordered to appear in July at the "People's Common Law Supreme Court" at a local Embers restaurant.

Eighteen "justices," including the wife of the dentist, Frederick Kriemelmeyer, signed the document, which Kind says was "just a bunch of mumbo-jumbo."

The notice said the prosecution of Kriemelmeyer was illegal. Kind ignored the order to appear. Instead, he wrote the jailed dentist and warned that his associates could face prosecution for purporting to be a court of law.

Kind says trying the dentist wasn't his only brush with extremists espousing common-law courts. It's happened in traffic matters and in another tax case.

"They view themselves as having a separate sovereignty unto themselves — a separate citizenship," he says, "and therefore no federal, state or local government can pass any laws or regulations to affect their lives."

KURT WILSON/MISSOULIA

Martha Bethel, a city judge in Hamilton, Mont., speaks at a "Fight Back Montana" rally held by the Montana Anti-Extremist Coalition, a group she recently founded. She has been a target of death threats from anti-government groups that issue illegal decrees in common-law courts.

Jim Doyle, Wisconsin attorney general, says the emergence of common-law courts and other forms of anti-government extremism is a hot topic in law enforcement. He acknowledges that a number of states are grappling with militants trying to trip up courts and harass or threaten officials.

"In Wisconsin, we're ahead of the game because we confronted a lot of this in the late '70s and the early '80s with the Posse Comitatus," he says. The Posse tended then to file liens against a host of officials — judges, prosecutors, and sheriffs.

State laws now make it a crime to simulate the legal process and to file false liens, Doyle says. A safeguard was imposed, too, to prevent people from filing a lien against a public employee or official for an alleged breach of public duty. In such cases, notice must be given and a hearing held before the lien is allowed.

Milw. Journal-Sentinal 11/7/95

Authorities need to rein in free-lance courts

Cropping up on the lunatic fringe are so-called common-law courts, as reported recently by the Journal Sentinel's Katherine Skiba. These "tribunals" aren't just harmless play-acting. They're dangerous, terrorizing as they have public officials, mostly at the local and state levels. The authorities must keep close tabs on the crazies behind this movement and prosecute any and all violations of the law.

The feds must play a central role in this monitoring, since these groups are heavily reliant on the information superhighway, which, of course, does not respect state lines. As a result of the Ruby Ridge and Waco debacles, federal authorities may have become too bashful about pursuing heavily armed, right-wing loonies. To which we say: Remember Oklahoma City.

The fanatics involved in the common-law court movement have in essence taken the law into their own hands. They've decided that they won't obey some statutes, even though these laws were duly enacted by democratically elected representatives of the people.

The extremists further believe that their own writs and edicts, mostly mumbo-jumbo, deserve the force of law, even though the citizenry at large didn't vote these people into office.

If their mischief was limited to the issuance of paper decrees, the extremists might be relatively harmless. But they have followed up with death threats and actual violence.

To head off more violence from these fanatics, the feds mustn't let up. They just need smarter strategies, which are better able to avoid loss of life.

Congress as well as state legislatures must explore the common-law court movement to determine whether present laws are sufficient to deal with it. As Attorney General Jim Doyle points out, thanks to its experience with the Posse Comitatus, Wisconsin has made it a crime to simulate the legal process and to file false liens, which these tribunals are wont to do. Other states may want to emulate the Wisconsin statute.

All in all, the common-law courts are dangerous lunacy that must be closely watched.

Terror in Montana

By Martha A. Bethel

I serve as a municipal judge in the towns of Hamilton and Darby in western Montana. Hate groups like the Militia of Montana, one of the most extreme self-styled paramilitary organizations, have been active in our area for several years.

My experience with them began in January, when a man who said he was part of the "Freemen" movement, which has ties to the militia, appeared in court in response to three routine traffic tickets. He described his appearance as a "special visitation" and refused to cooperate with the initial proceedings. He said he was not in any way bound by the laws of Montana.

> Judges do their jobs — and risk their lives.

On March 3, he served me with documents demanding dismissal of the charges against him and asserting I had violated my oath of office. These documents recounted a hearing held before "justices" of a "common law" court, one of a number of tribunals created in Montana recently by the fringe groups that claim they have jurisdiction over our district and local courts.

The "Ravalli County Court, Common Law Venue, Supreme Court, Country of Montana" demanded that I dismiss the charges within 10 days or a warrant would be issued for my arrest. On the same day, the documents were filed in several other courts as well.

Later, I received threats that I would be kidnapped and tried before the common-law court and sentenced for my "treasonous" acts. I also received a call one day warning me, "Don't come to Darby tonight for court tonight, or you won't be leaving."

In addition, someone threatened to shoot a justice of the peace in the head. A deputy county attorney was warned that his home would be burned and that he would be shot in the back. Our district judge heard threats, to his face, that he would be hanged in the city park.

In February, I was followed home, roughly 40 miles away, after a night court session. Several days later, an unidentified caller informed me that I had been followed home and gave me the location of my home to prove it. I have received dozens of phone calls, both from anonymous callers and from concerned citizens warning me of what they heard would happen to me or my home.

Most of us who have been threatened are concerned that these people might carry out these threats. Though we have enjoyed support from local citizens and businesses, we share a sinking feeling of helplessness.

Krawczyk

I used to enjoy hearing the deer, bears and other animals move about at night without a second thought, other than expressing thanks for the beautiful place in which I live. Now, when I hear deer giving their warning calls, or when I hear animals moving through the brush in the woods, I worry if an intruder is frightening them.

Over Easter weekend, the police suggested we leave the county after they received information that an attack would be made on me or my house. Most recently, a Federal law enforcement agency told me a contract had been issued for my murder.

This has been a living nightmare. As judges, we all expect to deal with disgruntled people who refuse to take responsibility for their actions. But who in their right mind would choose to serve their community when the community becomes defenseless in the face of such terrorism? □

In the spring, I testified before the Montana Legislature on a bill making it a felony to impersonate or intimidate a public official. The threats against me worsened, and hate mail arrived from across the country. Twice, I sent my three children, ages 10, 11 and 13, to live with their father for a week.

After someone threatened to "riddle my home with gunfire," the police came to map my house and land. They told me which room to hide in if the house were attacked. They suggested I pack a duffel bag with a police radio, flashlight and other emergency gear. They mapped out where in the woods I would hide with the children if we had to run.

Martha A. Bethel has been a municipal judge in Montana for nine years. This article is adapted from a statement she made last week at a Congressional forum on the militia movement.

Federal Document Clearing House Congressional Testimony

November 2, 1995, Thursday

SECTION: CAPITOL HILL HEARING TESTIMONY

LENGTH: 2646 words

HEADLINE: TESTIMONY November 02, 1995 NICKOLAS MURNION COUNTY ATTORNEY GARFIELD COUNTY, MONTANA HOUSE JUDICIARY CRIME MILITIAS

BODY: TESTIMONY OF NICKOLAS C. MURNION

COUNTY ATTORNEY OF GARFIELD COUNTY, MONTANA

P.O. Box 375

Jordan, Montana 59337

Telephone (406) 557-2480

Before the Sub–committee on Crime

Committee on the Judiciary

U.S. House of Representatives

November 2, 1995

On September 28, 1995 five men including the leader of the movement known as the "Freemen" moved by convoy of six vehicles in the dark of night from Roundup, Montana to a location in Garfield County located 130 miles away. The effect of the move was to allow the five freemen from Musselshell County to join five freemen residing in Garfield County and thereby create a very dangerous situation for Garfield County. All ten of these Freemen are wanted on various State and Federal charges. The effect of this convoy in the middle of the night was to make a bad situation much worse. These wanted men are now residing in five residences located in about a 5 square mile area of land which they no longer own. The Freemen have made it very clear that any attempt to arrest them will result in violence.

Five of the Freemen are charged with Threats and Other Improper Influence in Official and Political Matters, a felony, as Specified in 45–7–102, M.C.A. Three are charged with the Impersonation of a Public Servant. a felony, as specified in 45–7–209, M.C.A., One is charged with Solicitation of Kidnapping. a felony. One is charged with Obstructing a Peace Officer, a misdemeanor. Six are charged with the offense of Criminal Syndicalism, a felony, as specified in 45–8–105, M.C.A. A person commits the offense of Criminal Syndicalism if he purposely or knowingly organizes or becomes a member of any assembly, group, or organization which he knows is advocating or promoting the doctrine of criminal syndicalism which is the advocacy of crime, malicious damage or injury to property, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political ends. Criminal Syndicalism is the closest thing that we have in Montana to domestic terrorism. Two of the Freemen are currently under investigation for armed robbery and felony assault in connection with an incident that occurred on October 2, 1995 in which a TV camera crew was robbed of their camera equipment at gun point by six of the Freemen. One of the Freemen is under investigation for the theft of $70,000 worth of grain that he is preventing his ,son from transporting off of the property which the son purchased at a sheriff's's sale. This Freemen has told his son that if law enforcement wants a war they will get a war.

The Freemen have attempted to organize their own government which they call "justus township" and have appointed officers including a chief justice of the supreme court and various marshals. They are also conducting freemen classes to which approximately 25 out of state individuals are coming on a weekly basis to learn the mechanics of how to set up your own government in other States. They are also being taught how to file liens against public officials as a means of retaliation and with the expectation that they will receive millions of dollars as a result. (For a more detailed review of the concepts of how Freemen establish their own government and seek retribution by filing liens an addendum has been attached which is the January issue of "Taking Aim", the publication put out by the Militia of Montana). Although the establishment of their own form of government within a county and the process of filing liens is somewhat unique to this group, their other beliefs seem to mirror other groups including the Posse Comitatus, Christian Identity and the "We the People" movement. The Freemen believe that the United States is a Christian republic governed by Biblically derived common law, not statutory law. They also believe that the Constitution under the 14th Amendment has two types of citizenship one of which excludes Jews and people of color. The Freemen buy into the common conspiracy theory that the Internal Revenue Service and the Federal Reserve Bank and other Federal Agencies are controlled by a conspiracy which will eventually lead to a one world government under the UN. Also similar to the Posse Comitatus they advocate pro se lawsuits and the filing of common law liens. The Freemen's message seems to have the most appeal to those who are in the most desperate situation financially. In the case of Garfield County it appealed to those farmers who had not been successful and were facing foreclosure. The message of the Freemen not only gave them a scapegoat to blame for their problems but also the promise that they would win millions of dollars by adopting the Freemen procedures. In the process of attempting to obtain something for nothing they have taken every opportunity to threaten, harass and intimidate public officials and others who would stand in their way.

My dealings with the Freemen commenced in January of 1993 when three of them demanded that I prosecute the Farmers Home Administration for fraud. The result of my failure to so prosecute was my first lien filing of $500 million. On January 27th of 1994 36 freemen took over the Garfield County Courthouse and set up the "Supreme Court of Garfield County/comitatus. Writs of Attachment were issued at that time against the property of certain Judges and lawyers involved in a divorce proceeding. Three months prior this same group of Freemen took over a courtroom In Lewistown except that the Judge was present and was forced to leave. On March 2, 1994 a Freemen was appointed as justice of the peace. This newly appointed justice of the peace commenced sending summons' to employees of the Small Business Administration and a lawyer representing GMAC to appear in his court. Documents were generated by laser printers and resembled legitimate court documents. On March 8, 1994 a bounty was issued by the Freemen for $1 million against myself, the sheriff, the district judge, a lawyer and two bank officials for anyone who would arrest and bring us before the freemen's court. Although ludicrous sounding on its face, when contacted concerning it the freemen indicated that this bounty was being foxed world wide and that someone would be "hungry enough" to take advantage of it. The person identified as a constable was contacted by the Sheriff concerning the bounty. When asked what would happen if one of us was turned in, the Sheriff was informed that we would be tried by a jury composed of freemen and if convicted the penalty would be death by hanging. The constable further indicated that the hanging would not take place on a gallows which would be a wrote of taxpayers money but would consist of a hanging from the bridge. "A Sheriffs Sale was held on April 14, 1994 which was the apparent target of the bounty issued for $1 million. Prior to the sale rumors were received by the Sheriff that sharp–shooters would be sent to Jordan on that day to kill seven officials. Other threats Included the bombing of the Court-

house. In June of 1994 subpoenas were issued against both Senators from Montana, Supreme Court Justices of Montana, the Attorney General of Montana and our District Judge commanding that they appear before the Freemen's grand jury. On July 15, 1994 45 jurors which were to sit on the first trial of five freemen charged with impersonation of a public servant received a Writ mailed from the Freemen making threats against them and their property if they convicted the freemen.

The Freemen have also filed a mountain of documents which attempted to arrest, subpoena. place liens for millions of dollars, and impose sentences of death against every public official they came in contact with. I have characterized these activities as a form of "paper terrorism" In my trials of the Freemen.

In February of 1995 the constable listed on the bounty was convicted for the offense of Criminal Syndicalism. One week prior to his sentencing of March 2, 1995 threats were received by me that a Judge and a prosecutor would be kidnapped by a group out of Roundup. The week of the sentencing the Mayor of Cascade deposited a money order printed by our Freemen and declared that the City of Cascade to be a common law jurisdiction. On March 2, 1995 under very heavy security the freemen convicted of Criminal Syndicalism received the maximum prison sentence of I 0 years and was designated as a dangerous offender. On March 3 in Roundup, Montana 7 individuals appeared with assault rifles, pistols, constraints, walkie–talkies, $80,000 in cash and were arrested on weapons charges. Prior to their arrest,..,"" one of them was observed walking past the Judge's Chambers.

The threats which I have received throughout this ordeal have included threats of being kidnapped, grabbed, arrested, hung and Shot. The day after the move to Garfield County a threat was received by a Californian to my secretary threatening to remove anyone from their space who didn't agree with the Freemen's beliefs. Those threats have intensified since the group has converged on Garfield County. In addition to the TV camera crew that was robbed at gun point with shotguns, AR–15's, rifles and pistols present, a Polish journalist was also run off at gun point and a gun discharged into the air.

We in Garfield County are now facing a very unique situation. We have ten wanted men armed to the teeth who are not going to be arrested without a confrontation with law enforcement. We are a county of one Sheriff and one deputy with barely enough means to defend ourselves. The solution to the problems presented by the freemen is relatively simple. They must be prosecuted for the crimes they commit and It must be done as expeditiously as possible. I have been involved in three trials of the freemen over the past year and a half and have obtained convictions of eight defendants. Of those Freemen only one has remained with the group of fugitives. For over ten months I have been asking for assistance from the Federal and State authorities to arrest the leaders of the Freemen who prior to September 28th were residing in plain view In a cabin in the hills outside of Roundup. Montana. I was given assurances that these men would be brought to justice. We are now faced with the monumental task of trying to assemble a sufficient law enforcement force to effectuate the arrests of the ten fugitives. At this time I believe that bloodshed Is inevitable. Prior to September 28 when the Freemen were separated I had hope that a peaceful resolution was still possible. When the convoy was allowed to reach Garfield County on September 28 that hope has faded. I also strongly believe that this is a Federal criminal issue. The leader of the Freemen is a man who has been wanted on an IRS warrant for over four years. The Freemen are now exporting their brand of terrorism to people in other States. I have received calls from Wisconsin. Ohio. California and others that have similar situations. I believe this group has declared war on our form of government. They are in open insurrection. They even threaten people who pilot airplanes through their air space. They kill

wildlife as a means of stocking up on food. The movement is also cult–like in the sense that neither brothers, sisters, nor sons and daughters can talk sense into their relatives who are involved in the freemen movement. They appear to be completely brainwashed in the ideology promulgated by the leaders of the movement. They live in the mythical word of common law which only they can interpret. It's an "Oz–like" world where they are trying to indoctrinate innocent people into taking the yellow brick road to see the wizard and the wizard is promising them no more laws to abide by and a pot of gold besides. But as ludicrous as it sounds they believe it completely and are apparently willing to defend it with guns and their lives. It is a tragedy that will have only one ending and that ending will not be peaceful.

Federal Document Clearing House Congressional Testimony

November 2, 1995, Thursday

SECTION: CAPITOL HILL HEARING TESTIMONY

LENGTH: 2219 words

HEADLINE: TESTIMONY November 02, 1995 TED ALMAY SUPERINTENDENT OHIO BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION HOUSE JUDICIARY CRIME MILITIAS

BODY: Good morning, I am Ted Almay, Superintendent of the Ohio Bureau of Criminal Identification and Investigation under the office of the Ohio Attorney General Betty D. Montgomery. I am here this morning to provide testimony in regards to recent confrontations that Ohio law enforcement have been involved in with domestic threat groups.

The Ohio Unorganized Militia is named in both the Ohio Constitution and the Ohio Revised Code. The original premise that all citizens between the ages of 18 and 65 were in the Ohio Unorganized Militia relates to the minute–man concept that in the event of war, and the armed forces were deployed overseas, there would be no militia to defend our state borders if an invasion was to occur. This brief mention of the Unorganized Militia has given credibility to the present day militia and it's belief that they must defend Ohio against government whose elected officials have committed treason by breaking their oath of office to support and defend the constitution.

It is believed that current militia membership in Ohio is approximately 500 members, which has doubled since the Oklahoma City bombing. In recent weeks, it appears, however, that the militia is becoming even more disorganized as members become disenchanted with the political beliefs and frustration as government fails to meet their demands. The state command level of the Ohio Unorganized Militia is all but disbanded and the county level groups are in a general state of disarray, . primarily over part to the –lack of internal leadership disputes. Due in organization and leadership, Ohio law enforcement has had several confrontations with militia members.

In July of 1994, a rural county sheriff's office received a complaint of automatic weapons fire in the middle of night. Upon arrival, the sheriff was confronted by several people dressed in camouflage fatigue uniforms who claimed to be a "gun club,'. After further investigation, it was determined that the Ohio Unorganized militia was conducting night training maneuvers.

In January of 1995, information was received that the militia movement was looking for a means to draw national media attention to their cause. A plan was discussed that involved charging a local sheriff or judge with treason and arresting them in a rural county adjacent to a media market. Local militia members were directed to determine the location of their electoral officials' private residences and work locations. when it became known that law enforcement was aware of this plan, it dissolved.

In March of 1995, a militia member, Joseph Mann, was conducting a training seminar of the new Ruger gmm pistol to a group of Militia recruits in his home. In an effort to demonstrate the safety mechanism, Mann loaded the weapon and put it to his had and pulled the trigger. The safety was not set properly and Mann died a the scene in front of his training class.

In June of 1995, Agents from ATF along with the Parma Police Department were attempting to serve a search warrant on weapons violations at the local residence of an alleged militia member.

The man had left the house prior to the search and notified the militia. Approximately ten members came in vehicles and communicated via CB radio. They advised ATF that they were present to "monitor the situation."

On June 25, 1995, militia member Michael Hill was stopped for a traffic violation in rural Frazeysburg, Ohio. Hill had removed his Ohio license plates and replaced them with homemade militia tags. Hill told the officer he had no right to stop him and sped away. After a brief chase, Hill stopped again and exited his vehicle. Hill then drew a .45 caliber semi–automatic pistol and pointed it at the officers who fired, killing Hill.

It should be noted that Hill was the self–proclaimed Chaplin of the militia, chief justice of the so–called "one supreme court" for the republic of Ohio, and a former Canton Police officer.

As the militia continue to unravel, a relatively new and disturbing group calling themselves the "one supreme court" has arisen. This small but radical group is compromised mostly of former or current militia members. They have based their jurisdiction as a common law court from the 1933 Bank Emergency Act instituted to restore America's financial crises. This emergency act gave the federal government power over the states to regulate commerce and banking, along with the Federal Reserve Board. This state of emergency has never officially ended, and the common law court movement use this language as a foundation for their beliefs. The notion that the federal government has taken away the rights of citizens of each state for its own benefit, is their call to action.

To state their cause publicly, their members will file a motion of "quiet title" with the . one supreme court, and declare themselves "sovereign human beings." To do this, the person must appear before the "Court" with their birth certificate and two witnesses to swear that the subject was born in the United States, but not born in Washington DC. They believe that the federal courts have original jurisdiction in Washington DC, therefore, if you are born there, the federal government has jurisdiction over you. Once the witnesses have testified and the birth certificate examined, a motion of quiet title is granted. The subject declares himself a sovereign human being exempt of all state, federal, and local law.

The concept is that the federal government, by removing state's rights have influenced all law by forbidding the people to have a voice in government since parts of the constitution have been suspended by the bank act of 1933. The person must then run a newspaper ad for three consecutive days to declare themselves sovereign and alert local government and law enforcement that they have no jurisdiction over them. This includes the IRS, all courts of record, the banking profession, specifically including foreclosures and liens. Also included is law enforcement, especially in the area of traffic enforcement as this violates their right of free passage, licensing boards, and virtually any government regulated industry. Once a person is charged criminally or becomes involved in a civil matter, their eagerness to file dozens of meritless motions prevail. Gene Schroder of Colorado has published a book of fill–in–the–blank type motions that challenge every aspect of the proceeding from the constitution issue of jurisdiction to a change of venue to the one supreme court. These documents put a tremendous strain on the legal system, and upon ultimate failure can result in attempts to intimidate and even threaten judges. According to a recent survey conducted by Chief Justice Tom Moyer of the Ohio Supreme Court , 22 judges reported recent filings from this group. In addition, several judges have received threats and one judge has received police protection for himself and his family as a result of his denying these motions.

In addition, the constitutional study group of the one supreme court has "indicted" several people for treason, including all members of the Ohio Supreme Court. To date, no known action to serve the indictments, other than by mail has occurred.

The one supreme court has also drawn significant media attention and most major newspapers in Ohio have run stories. In fact, the television program 20/20 filmed the court in Columbus earlier this month. There is concern among law enforcement that as the media displays the actions of a small group of people who have elected to exclude themselves from the law, more individuals may selectively ignore current law and the judicial system.It is important to note that these groups are closely linked via the Internet computer network, and events that occur anywhere in the nation can be twisted and sent out within minutes.

It is my belief that this movement will dissolve as its members become frustrated with the lack of progress and government's refusal to acknowledge their beliefs. The next major concern, however, will be the trial of Timothy McVeigh. If convicted they will claim a government conspiracy to frame a militia sympathizer. If acquitted, we anticipate that they will still claim a conspiracy to indict him and discredit their movement. These dates will be added to the list of Waco, Ruby Ridge, and in Ohio, the Frazysburg shooting of Mike Hill.

In conclusion, the First Amendment rights of all citizens are paramount to our survival. There is a system of change that has been present for over 200 years and every piece of legislation that you debate in these chambers is about change. The process is slow to provide time for thought and discussion. If the militia and common law courts have the support they claim, then they should work within the system. Until such time as the law is changed, no American has the right to selectively exclude themselves from the laws that protect us all. The irony of this situation is that these individuals under the cry of patriotism have chosen to exclude themselves from selected laws while screaming that their rights under the constitution must be protected.

Thank you for this opportunity to appear before you, and I will be happy to answer any questions.

DENNIS G. MONTABON

Circuit Judge • Circuit Court Branch 3

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Amy Johnson - Reporter

Pat Roark - Secretary

November 29, 1995

The Honorable Joanne B. Huelsman
State Senator
State Capitol
PO Box 7882
Madison, WI 53707-7882

RE: Senate Bill 437

Dear Senator Huelsman:

Initially, thank you for requesting my input concerning Senate Bill 437. This is the first time in my recollection of 17 plus years as a circuit judge that I have been requested by a committee chair to respond to pending legislation. Such request is very much appreciated.

I will not be able to personally attend the hearing on December 6, 1995 due to a long scheduled trial. I fully support the intent and purpose of the legislation. I have been the subject of various suits in "common law court". These suits arose from a prosecution against a local dentist for failure to file income tax returns pursuant to Section 71.03 Wis. Stats. I was the presiding judge in that case.

I have enclosed an example of the legal process purported to be served and enforceable against me as a judge in such case. As of this date the "common law court" has not attempted to enforce any judgment against me. I assume such enforcement measures will be forthcoming. Assistant Attorney General James McDermott has represented me concerning various suits, claims and motions by the defendant in the criminal action. The review of such simulated legal process requires substantial court and attorney time to determine if it is appropriate to respond or take any further action. As you can see from the copies of the documents attached the material is basically nonsense.

Thank you again for requesting my input on this legislation. I look forward to its successful passage.

Sincerely,

Dennis G. Montabon
Circuit Judge

DGM:pr

cc: Senator Brian Rude
Representative Mark Meyer
Representative Michael Huebsch
J. Denis Moran
Assistant Attorney General James McDermott

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AMY R. GREENWOOD
ASS'T DISTRICT ATTORNEYS

CHRIS RADDANT
LEGAL SECRETARY I

November 27, 1995

Senator Joanne B. Huelsman, Chairperson
Senate Judiciary Committee
P. O. Box 7882
Madison, Wisconsin 53707-7882

RE: December 6, 1995 Public Hearing On SB 437

Honorable Senator Huelsman and Members of the Senate Judiciary Committee:

I regret that court commitments do not permit me to personally address you with reference to SB 437, but I greatly appreciate your time in considering this bill.

I have been in the District Attorneys Office for Shawano and Menominee District Attorneys Office since 1978 and, as you are no doubt aware, Shawano County in the late 70's and 80's was said to be the national headquarters of counterinsurgency for the Posse Comitatus. As you are also no doubt aware, during the 90's the phrase Posse Comitatus seemed to disappear but some of the associates of that group remained and created the Farm Preservation Organization in Tigerton, Wisconsin.

I have been successful in getting convictions in the past on a charge of felony slander of title and presently have three counts of felony slander of title pending against an individual who attempted to file what he called a Notice of Trespass in our Register of Deeds Office against one of my two judges, the Chief of Police of Tigerton and one of my sheriff's investigators. These cases tend to be complicated by the efforts of defense attorneys who attempt to prohibit experts from coming in and giving their opinions to the court as to what the effect of the document would be if recorded and placed on abstracts. In addition to dealing with the attempts to file these documents, as well as numerous

other documents which I have dealt with over the last 18 years, our law enforcement has had to address the problem of these individuals issuing subpoenas for myself as well as our clerk of court and our judges to appear before citizens grand juries. Although we have not had to deal with the new "Common Law Courts", it is my understanding that the old citizen grand juries are very similar. Another area which has caused Shawano and Menominee Counties substantial time, effort and money, has been the frivolous law suits filed by members of these groups.

It is my belief that the people that we are dealing with in these situations who have no respect for other persons or our government are some of the most dangerous individuals within our state. Any assistance that the legislature can give to law enforcement and the courts in dealing with these individuals can do nothing but aid law enforcement and our judicial system.

Again, I thank you for your time.

Respectfully,

OFFICE OF THE DISTRICT ATTORNEY

Gary Robert Bruno
District Attorney

GRB:pjo

Joanne B. Huelsman
WISCONSIN STATE SENATOR

December 1, 1995

TO: Members, Senate Judiciary Committee and other interested persons

FR: Senator Joanne B. Huelsman, Chair
Senate Judiciary Committee

RE: Additional Background Information on SB 437

Attached are two additional letters I have received regarding SB 437, the "common law court bill."

The first letter is the written testimony of Brian Levin from the Klanwatch Project of the Southern Poverty Law Center, which has been tracking the militia issue for over a year. Mr. Levin's testimony addresses the common law court issue from the perspective of national trends.

The second letter of support is from William Aschenbrener, the sheriff of Shawano County.

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TESTIMONY OF BRIAN LEVIN, KLANWATCH PROJECT, SOUTHERN POVERTY LAW CENTER BEFORE THE WISCONSIN SENATE JUDICIARY COMMITTEE

Public Hearing on Senate Bill 437: "The Common Law Court Bill"

December 6, 1995

My name is Brian Levin. I am the Associate Director for Southern Poverty Law Center's Klanwatch Project. The Center is located in Montgomery, Alabama.

The Center was founded almost 25 years ago to protect the rights of victims of injustice. In response to an alarming surge in white supremacist activity in the late 1970s, the Center established its Klanwatch Project to monitor extremist groups and to track hate crimes. Klanwatch collects the literature of every major extremist group in the country, records their hate "hot lines," subscribes to clipping services that collect articles about hate group activity and hate crimes from thousands of newspapers, combs the Internet for extremist propaganda, and receives information from numerous law enforcement and private sources. We have been storing this information on our computers for over a decade and today maintain the largest database in the country on neo-Nazi groups like the Aryan Nations and Ku Klux Klan.

Six times each year, we publish the *Klanwatch Intelligence Report* to share our information with the law enforcement and government communities. Currently, over 6,000 law enforcement agencies receive our free reports, including many in Wisconsin.

I'm providing the Committee with copies of our most recent *Klanwatch Intelligence Reports*. As you will see, we have identified over 250 private paramilitary organizations in the United States. In addition, the reports contain an overview of trends in the white supremacist world and an update on the growing anti-government movement. To help put the current trends in historical context, I'm also providing our report *Hate Violence and White Supremacy: A Decade Review 1980-1990*. As this last report reflects, our country has faced threats from extremist paramilitary groups before.

Racist and anti-government paramilitary groups pose a unique threat to the stability of our democratic institutions. With disturbing regularity, suspected anti-government extremists have attacked police officers, plotted to blow up federal buildings, established armed compounds, and gathered weapons and material like poison and contagious bacteria. So-called "common law" courts are threatening public officials with violence if they carry out their official duties. These courts operate in Wisconsin and 31 other states. This summer anti-government extremists from the Tri-State militia banded together to endorse a war against the United States government. Recently our intelligence uncovered vast counter-intelligence networks established by hate groups and anti-government militias targeting public officials, civil rights groups, and the media.

Although most militia groups do not have racist ties, an alarming number do. And the fact that they have such ties is no accident. White supremacists and neo-Nazi leaders have sought to exert control over the militia movement and to recruit militia members into their ranks.

Ominously, the notion of a violent "leaderless resistance" has been imported by the extreme anti-government movement from the white supremacists. Leaderless resistance calls for small autonomous bands of terrorists to further the overall goals of the movement by committing random acts of terror against public institutions, infrastructure targets, and innocent citizens. Information on how to commit such violence is widely available, and an underground market for the tools of destruction exists.

Timothy McVeigh, one of the Oklahoma City bombing suspects, may have been following the "leaderless resistance" strategy. He evidently trained with a militia group in Michigan and peddled *The Turner Diaries*, a fictional account of a race war written by neo-Nazi leader William Pierce.

As we've seen so vividly in the past, paramilitary extremists often grow bored with roaming the woods and shooting at paper targets. In the early 1980s, the Ku Klux Klan in Texas operated a series of paramilitary camps. Though the training was allegedly only "defensive," Klan members were soon playing a key role in enforcing their own "laws" by terrorizing innocent Vietnamese fishermen in Galveston Bay. In North Carolina in the mid 1980s, the White Patriot Party's paramilitary group went from "defensive" training to stockpiling weapons, machine gunning people in a gay bookstore, and plotting to blow up the offices of the Southern Poverty Law Center.

The Law Center successfully filed suit to stop these paramilitary groups in Texas and North Carolina. In our case on behalf of the Vietnamese fishermen, the federal court relied in part on a Texas statute outlawing unsanctioned private armies. Invoking a century of precedent, the court held that neither the First or Second Amendment restrict the government's authority to ban private armies. In our North Carolina case, we used the state's anti-paramilitary statute to stop the dangerous military activities of the Carolina Knights of the Ku Klux Klan. The group was intimidating black citizens and training for what it viewed as an inevitable race war.

Many of the so-called "militias" that have formed over the past two years pose a similar threat. Fueled by anger over the Randy Weaver incident, the Branch Davidian standoff at Waco, and passage of the Brady Bill, these organizations see themselves as embattled. Many are literally preparing for war with the federal government. Many have ties to racist groups and leaders.

Perhaps the most influential militia leader has been John Trochmann, the founder of the Militia of Montana. A featured speaker at the 1990 Aryan Nations World Congress, Trochmann has sent out hundreds of militia-formation packets. In addition to selling videotapes promoting armed resistance to federal and state authorities, Trochmann sells paramilitary handbooks such as Sniper Training & Employment, Guerrilla Warfare, Booby Traps, and Unconventional Warfare Devices and Techniques.

James Wickstrom, now a nationally recognized militia leader and anti-Semite, was imprisoned in Wisconsin during the 1980s for impersonating a public official after creating and presiding over an illegal community called "Tigerton Dells."

The anti-government message is increasingly a disturbing one. Sam Sherwood of the United States Militia Association told his followers to look their legislators in the face because "they may have to blow it off some day." A book that details how to commit acts of terrorism is advertised with this phrase: "Its words and plans may be needed right here at home in the very near future because it teaches how to overcome a socialist government."

As of yesterday, we had identified almost 296 militia groups operating in 50 states. We have been learning about new ones every week. At least 71 of those groups have ties to the white supremacist movement. In Wisconsin we have identified six militia groups, one of which has racist ties. If our experience with other extremist groups is any guide, the number of groups will fluctuate as alliances form and are broken and as those who cross the line between protected rhetoric and violence are prosecuted or sued civilly.

Many militia members have already crossed that line. Just last month federal agents in Oklahoma arrested four anti-government extremists for plotting to blow up the Southern Poverty Law Center, a state office building

and other targets. Attached to my testimony is a list of some other examples of criminal activity associated with anti-government extremists. While obviously the Oklahoma City bombing is the most well known, all of these incidents illustrate the threat of violence posed by this movement.

Because of our concern over the involvement of white supremacist leaders in the anti-government militia movement, the Law Center's founder Morris Dees wrote Attorney General Reno and the Attorneys General of six states in October 1994 to alert them to the growing anti-government militia movement. We subsequently wrote to Wisconsin Attorney General James Doyle urging him to sponsor such legislation here.

There are certain steps that can be taken to protect Wisconsin from the danger posed by armed extremists. Because paramilitary training both attracts those who would engage in violence and acts as a springboard for their activity, we would first recommend that the Committee consider a law that would prohibit paramilitary training that is not authorized by state law. Similar statutes have been enacted by the federal government and 24 states.

Second, we recommend passage of a statute similar to the one we used in Texas against the Ku Klux Klan's private army to enhance the government's ability to curb unsanctioned private armies. The Texas law outlawed the existence of such armies, regardless of their training activities. Although the Second Amendment prevents Congress from passing a law that would prohibit state authorized militias, nothing in the Constitution prevents federal or state governments from regulating militia groups that are not authorized by state law.

Third, we recommend legislation of the type presented here today by Senator Huelsman relating to the slandering of title, the simulation of legal

process, and the criminal impersonation of public officials. This legislation would deter those anti-government extremists who terrorize their enemies through bogus "Common Law" courts and other related methods such as the filing of illegitimate liens.

People have the right to associate and express their views for political purposes. However, people do not have the right to subvert the operation of our democratic institutions through the use of sham legal methods or private armies.

The terroristic activities of anti-government extremists are not adequately addressed by Wisconsin law. Wisconsin should immediately join nearly every other state in the Union in addressing the increasing threat of anti-government extremism through legislation.

Thank you.

MILITIA UPDATE

The Militia Update is a regular feature of the Klanwatch Intelligence Report compiled by the Militia Task Force from media, law enforcement and other sources. Information and comments can be left on our 24-hour ***Militia Hot Line 334-265-8335*** *or reported to the Militia Task Force during business hours at 334-264-0286.*

■ "Common Law grand juries" have spread like a prairie fire across the country in recent months. Composed of Posse Comitatus partisans, militiamen, Identity adherents, and tax protesters, these self-styled tribunals have issued "indictments" and "warrants" against local, state and federal officials.

The Militia Task Force has received information from law enforcement sources advising that these "grand juries" are active in at least 11 states.

KURT WILSON/THE KANSSOUTHAN

Fugitive Gordon Sellner (above and inset) was shot when Montana authorities arrested him in July for the shooting of a deputy in 1992.

"Grand juries" in **Kansas, Arizona, Wisconsin, Ohio, Oklahoma, Arkansas and Montana** recently indicted Internal Revenue Service agents and other federal officials, along with state and local law enforcement officers. A 15-year veteran with IRS Security commented that the current situation "is worse than it was with the Posse during the farm crisis back in the '80s and a whole lot more dangerous."

• A Common Law assembly convened in **Wichita, Kan.**, on June 3, the anniversary of the death of Identity zealot and Posse Comitatus leader, **Gordon Kahl**. Kahl, a tax protester who killed three law enforcement officers later died during a police raid on an Arkansas farmhouse where he was hiding.

The self-declared "grand jury" in Wichita, culled from some 600 attendees from 32 states, issued a "Show Cause" order to President Clinton and Attorney General Janet Reno calling for the abolition of the War & Emergency Powers Act of 1933. According to this "grand jury," the Act forms the basis of 62 years of "illegal" federal government rule. California State Senator **Don Rogers,** a frequent speaker at Identity and so-called "Patriot" functions figured prominently at this gathering, as did Colorado brothers **Gene and Darrell Schroeder**. A number of Kansas, Colorado and Oklahoma militiamen were present, at least two of whom served on the "grand jury." Along with anti-tax materials and militia videos, Posse Comitatus and anti-Semitic publications were sold during the three-day meeting.

• Fugitive **Gordon Sellner**, wanted for shooting a deputy sheriff three years ago, was captured at his **Montana** farm in July after a shoot-out with law enforcement. Sellner, a Posse Comitatus member, was wounded. The Militia of Montana immediately issued a five-page "alert" following the incident that alleged that Sellner was target shooting when he was attacked by deputies.

• In May several **MAC 10s** and **SKS assault rifles** and nearly **500,000 rounds of ammunition** were found by sheriff's deputies in a militia member's home near **Blanchard, Okla.** According to law enforcement officials, the legal weapons and ammunition were obtained at a Blanchard feed store that serves as a meeting place for local militiamen. The county in which the arms were found is home to an Identity-led Common Law "supreme court."

• In **Arkansas**, three men posing as U.S. Marshals attempted to arrest a municipal judge and bring him to a Common Law court in Kansas. The judge is presiding over a case involving **Leonard Ginter**, an alleged member of an Oklahoma Common Law "supreme court" and close friend of Gordon Kahl. The three individuals had not been located by press time.

• On June 28, **Frazeyburg, Ohio** police officer Sgt. Matthew May pulled over a vehicle bearing white cardboard tags marked "OHIO MILITIA 3-13 CHAPLAIN." The driver, **Michael Hill**, emerged from the car carrying a .45-caliber pistol and aimed it at the officer, according to police reports. May then fired four rounds at Hill, killing him. Hill was reportedly chief spiritual adviser to the **Ohio Militia** and chief justice of a Common Law "supreme court."

Some 500 militiamen from at least four states attended Hill's funeral, including **Ken Adams**, formerly of the **Michigan Militia** and now leader of the **National Coalition of Militias**. Adams, who recently pleaded guilty to two counts of mail fraud in a New Mexico court, told a reporter that "a militia person when he stops [for a traffic violation] is going to defend himself." Sgt. May is currently living in a safe house following numerous threats of retaliation for the shooting. The July issue of the **Militia of Montana's** newsletter, *Taking Aim*, called May a "murderer" and referred to the local police as "Gestapo."

• **Darwin Gray**, longtime friend of **Kevin Harris** and white separatist **Randy Weaver**, was arrested for plotting to bomb the federal courthouse in **Spokane, Wash.** Gray had worked at the courthouse and allegedly obtained blueprints of the building. According to law enforcement, Gray had built and detonated several ammonium-nitrate bombs in preparation for the planned attack on the courthouse. He was also charged with a marijuana-growing operation. •

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SHERIFF

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Disp. - 715-526-3111
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MILTON MARQUARDT
Chief Deputy

LORRAINE ZEHREN
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STEVE BORROUGHS
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405 N. Main Street
SHAWANO, WISCONSIN 54166

November 28, 1995

Senator Joanne B. Huelsman
State Capitol P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Huelsman:

I strongly support your legislation regarding SB437. It is about time someone tried to curb this type of harrassment.

I am sorry that I cannot attend the hearing. However, I certainly do support the Bill.

Sincerely,

W.C. Aschenbrener, Sheriff
Shawano County Sheriff's Department

Joanne B. Huelsman
WISCONSIN STATE SENATOR

TESTIMONY OF SENATOR JOANNE B. HUELSMAN
IN SUPPORT OF SENATE BILL 437

Before the Senate Judiciary Committee, December 6, 1995

Last week I distributed to each committee member a packet of materials detailing the background of Senate Bill 437, which Representative Nass and I have introduced in response to the recent emergence in Wisconsin of so-called "common-law courts."

The activities of these groups threaten to undermine our existing judicial system by means of intimidation directed at public officials, including judges and prosecutors. The question that faces us is whether our response will be proactive -- whether we act now with a view to preventing a tragedy -- or whether our response will be reactive -- acting only after a tragedy has already occurred. We need only look to the experience of states such as Montana, Ohio, Missouri, Colorado, Florida and California to see what the people of Wisconsin can expect if this threat is not answered immediately by the legislature.

Senate Bill 437 increases the penalties for the existing crimes of criminal slander of title, simulating legal process, and impersonating a public officer. It also significantly expands the ban on simulated legal process to outlaw all sham legal process, not just that intended to induce payment of a claim. Further, under this bill, sham legal process that simulates criminal process or is intended to induce payment of money is given a higher penalty than other forms of simulated legal process.

Senate Bill 437 focuses upon illegal action taken by these bogus courts. The bill does not touch upon the constitutional rights of assembly or protected free speech. The people who establish these tribunals have a First Amendment right to assemble and to give themselves any label they choose, whether it be the "Common Law Supreme Court of Wisconsin" or the "Bunch of Old Fools." Senate Bill 437 does not affect those First Amendment rights.

What these groups do not have a right to do, however, is to attempt to exercise civil or criminal court jurisdiction over other citizens without their consent. They have no right to impersonate public officials, such as judges, justices, marshals, prosecutors, or any other officers of the court. They have no right to encumber the real or personal property of others by filing bogus liens. They have no right to intimidate, threaten or harass public officials or private citizens by serving all sorts of sham legal process, such as bogus subpoenas, arrest warrants or injunctions.

The judiciary is the weakest branch of government. It has no police force at its command. It cannot pass laws to protect itself. That is our responsibility. The penalties contained in our laws must be strong enough to have a deterring effect on criminals who might otherwise consider violating them. Otherwise, those laws are meaningless.

We cannot allow any self-appointed, secret tribunals to undermine our democratic institutions by means of outrageous intimidation.

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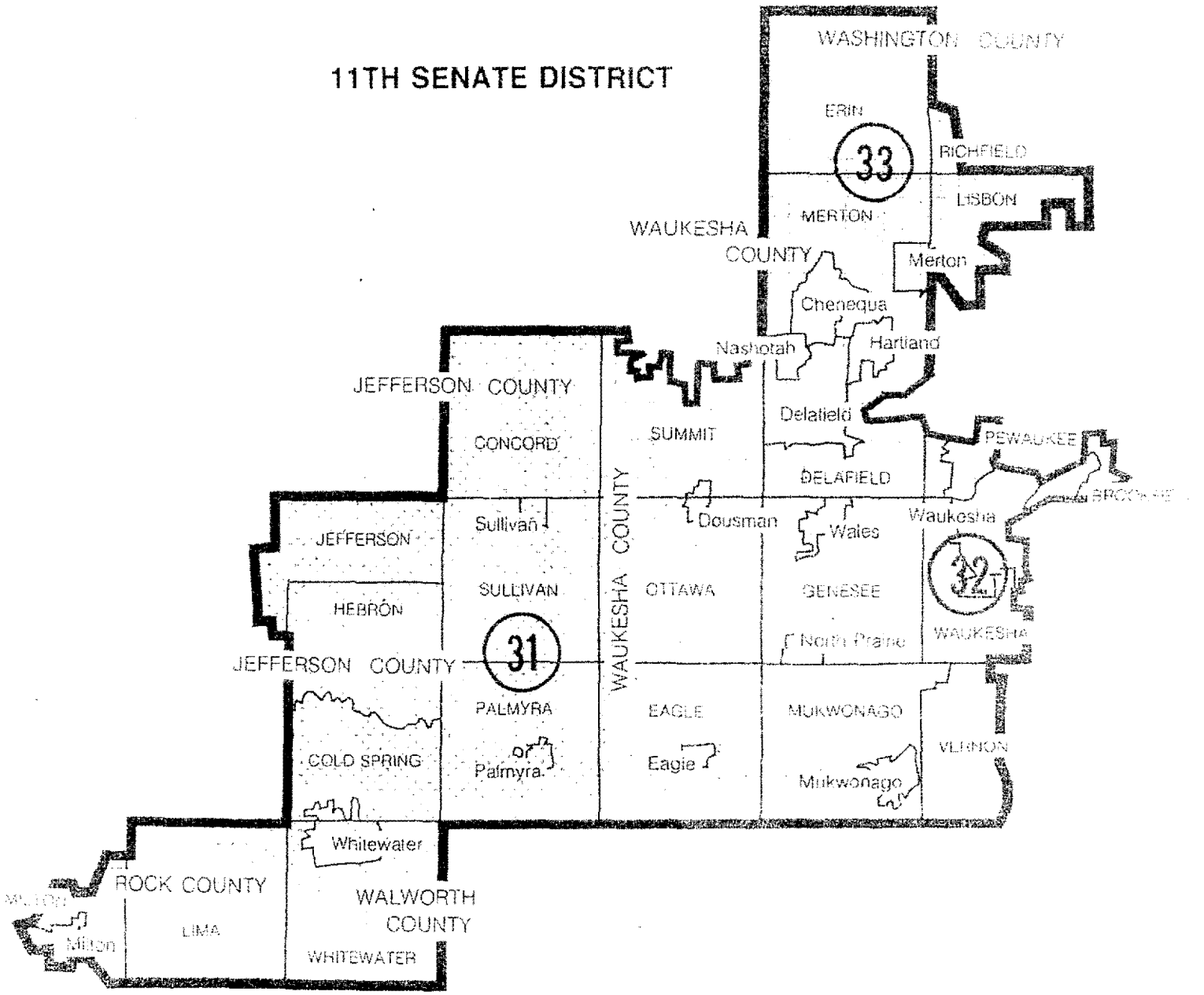
11TH SENATE DISTRICT



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Let These Facts Be Submitted to a Candid World

A decent respect to the opinions of mankind requires that we should declare the causes which impel our actions.

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people". Article X, Bill of Rights.

"The Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, under the Authority of the United States, shall be the Supreme Law of the Land;" Article VI, Section 1, clause 2, Constitution.

"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution;" Article VI, Section 1, Clause 3, Constitution.

In 1798, when the federal government tried for the first time to expand its own limited power by usurping the powers reserved to the States or the people, Kentucky interposed against such usurpation. Thomas Jefferson wrote, in the Kentucky Resolves as follows:

> "Resolved, that the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the high seas, and offenses against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared 'that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people,' therefore also (the Sedition Act of July 14, 1798); as also the act passed by them on the 27th day of June, 1798, entitled 'An act to punish frauds committed on the Bank of the United States' (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the Constitution), are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective States, each within its own Territory". Thomas Jefferson, Kentucky Resolution.

The federal government has never had, nor will it ever have, constitutional authority to punish frauds committed against a United States Bank. Punishment of this crime, and many others, is reserved to the States. Those government officials for Montana, bound by oath or affirmation, are in utter defiance of their duty to interpose. We are forced to be subjected to a jurisdiction foreign to our Constitution. Montana's consistent failure to perform their duty for the last 63 years, has left the people in Montana in a perpetual state of absolute bondage.

As further evidence of this failure, let these absolute facts be submitted:

I. That on October 6, 1917, during a time of war, the United States Congress passed an act delegating extra-ordinary war power to the President of the United States, delegating authority to control all enemy transactions and property. (See WEP exhibit 18 and 19, particularly 5(b).) This was strictly a war measure. (See WEP exhibit 21, Stoehr vs Wallace)

II. That this act was not removed or repealed from law at the termination of the war. (See exhibit 1, Knox Resolution and exhibit 2, "Working Paper 9405" by Dr. Walker F. Todd)

III. That on March 3, 1933, a banking crisis developed in the United States and President Hoover drafted a letter to the Board of Directors of the Federal Reserve Bank of New York, asking for recommendations. (See WEP exhibit 30 and 31)

IV. That the Directors of the Federal Reserve Bank of New York submitted a "suggestion" for an Executive Order declaring an "emergency" in 1933. (See WEP exhibit 30 and 31) The "suggestion" was submitted to President Hoover on March 3, 1933, who refused it, and to President Roosevelt on March 4, 1933, who accepted and used it (See WEP exhibit 32 and 33). President Roosevelt, in his inaugural address, said that should Congress fail, he would "ask the Congress for the one remaining instrument to meet the crisis - broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe." (See WEP exhibit 16)

The President obviously intended to ask for the power to prosecute an actual war. However, the war he intended to wage was against the "emergency." The "emergency" of which he speaks, is the American people lined up at the banks, demanding the banks to perform on their notes. The people had previously been encouraged to deposit their money (gold) with the banks in exchange for a Federal Reserve Note, which was to be redeemable in gold upon demand. However, when the people lined up to demand their money, the banks did not have it. **It was upon the American people, who demanded their money, that President Roosevelt waged war. All the people's money was ultimately seized as an act of that war. That war has never terminated.**

Congress on March 9, 1933, confirmed the Federal Reserve's "suggestion" verbatim, (See WEP exhibit 17) knowingly making it law under false pretense of extra-ordinary power of "emergency" (war power) (See WEP exhibit 20) The confirmation, enacted by Congress, amended section 5(b) of the "Trading With the Enemy Act" of October 6, 1917. The original "Trading With the Enemy Act", section 5(b), (See WEP exhibit 18 and 19), excluded "citizens of the United States" from being enemies. However, the March 9, 1933 deceptive amendment, by changing the original statutory wording, left the American people in peacetime, with emergency restrictions analogous to those of declared enemies in war time. President Roosevelt's emergency proclamations under the deceptively amended "Trading With the Enemy Act", by adding the word "hoarding", and removing the exclusion of

the American people (See WEP exhibits 32 and 33), declared the American people guilty of "hoarding" their own lawful property, i.e. gold (money). Any people in the United States found "hoarding" their own money (gold or gold certificates for amounts in excess of $100) could be criminally charged possibly resulting in a $10,000 fine and a jail sentence. (See WEP exhibit 17 and 18)

V. That an "emergency" currency, (See WEP exhibit 36), called Federal Reserve Bank Notes (See WEP exhibit 38) were declared the same as "legal tender" under the "Banking Relief Act" of March 9, 1933. (See WEP exhibit 37) This "New Deal" "emergency" money is defined as debt owed in the future by the American people and their posterity to provide benefits in the present. It represents (1) a mortgage on all the homes and other property in the Nation (See WEP exhibit 40), (2) the use of all agricultural assets to support a national credit structure (See WEP exhibit 46), and (3) that "the ultimate ownership of all property is in the State;" (See WEP exhibit 28). While the principal amount of the debt is monetized instantly, the proceeds are not used to generate a fund for the amortization of principal or future payment of interest. This scheme results in absolute bondage of the people and all future generations. Today, the American people, whose federal debt was only $22.5 billion in 1933, and particularly their posterity are saddled with a $5.5 trillion government created emergency debt plus a $12 trillion emergency private debt, with only a $4.29 trillion emergency current money supply to pay the debt and only a $500 billion of total Federal Reserve Credit for the maintenance of the federal debt from the broadly defined money supply (M-3).

VI. That the federal power grossly expanded during the "first 100 days" of President Roosevelt's administration is without question. Montana again failed in its duty to interpose. The activities of state and federal governments resulted in the enactment of the following federal emergency statutes which were accepted within the states, including but not limited to the following:

A. March 9 - The Emergency Banking Act, complete control of all banks, gold and silver, currency and transactions. Congress shall have the power "to coin Money, regulate the Value thereof," does not include a power to delegate to the Executive dictatorship over finance. "No State shall...emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts;" Where was and is Montana in this usurpation?

B. March 20 - The Economy Act, an impossibility with emergency debt money.

C. March 31 - Civil Conservation Act, an act to control use of natural resources.

D. April 19 - Abandonment of gold standard, seizure of all gold,

E. May 12 - Emergency Relief Act, control of social agenda and national welfare program.

F. May 12 - Agriculture Adjustment Act, an act to nationalize and control all production and pricing of agriculture commodities.

G. May 18 - Tennessee Valley Authority, nationalization of utilities.

H. May 27 -Truth in Securities, control of private financing.

I. June 5 - House Joint Resolution 192, abrogation of gold clause in public and private contracts and control of all contracts.

J. June 13 - Home Owner's Loan Act, control financing and prices of homes and bail out banks.

K. June 16 - National Industrial Recovery Act, nationalization of industry and labor. Provided for industrial self-government under federal control, and provided $3.3 billion for public works.

L. June 16 - Glass-Steagall Act, divorced commercial and investment banking and guaranteed bank deposits, and led to establishment of FDIC.

M. June 16 - Railroad Coordination Act, resulted in nationalization of transportation.

President Roosevelt took full advantage of those powers unlawfully delegated him by Congress, "during time of war or during any other period of national emergency declared by the President" (See WEF exhibit 17), claiming a right to bind the American people by statute in all cases whatsoever. "Under this procedure we retain Government by law - special, temporary law, perhaps, but law nonetheless. The public may know the extent and limitations of the powers that can be asserted, and persons affected may be informed from the statute of their rights and duties". (See WEF exhibit 48) In excess of 5400 Proclamations and Executive Orders were issued during the Roosevelt administration. (See exhibit 7) While Congress in 1976 attempted to take oversight measures, no Congress has repealed these extra-ordinary congressional acts to return the federal government to its delegated peacetime constitutional duty.

VII. That State governments, including Montana, in utter disregard of their duty of interposition against usurpations of the federal government under the 10th Amendment of the United States Constitution, "wholeheartedly" (See exhibit 3) supported the 1933 federal usurpation by declaring their respective state in a state of "emergency". "No State shall... make any Thing but gold and silver coin a tender for payment of debt", Article I, Section 10 of the Constitution. As vividly expressed in a Colorado Supreme Court opinion for the Colorado Senate in 1934 (See exhibit 4), the State would be unquestionably beyond its delegated constitutional authority to accept this federal debt into the State. The states also have assumed an unconstitutional power. By relinquishing all state's rights to the federal government in order to prosecute a war that should have never existed, the people are left alone to fight an absolute tyranny. All governments, state, county, and local, have become mere political subdivisions of the federal government.

VIII. That a group of armed federal agents have us held captive is prima facia evidence of assumed federal power and a failure of Montana's duty to interpose against such usurpation. "That the Constitution of the United States having delegated to Congress a

power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the high seas, and offenses against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared "that the powers not delegated to the United States by the Constitution, nor prohibited it to the States, are reserved to the States respectively, or to the people," therefore (See exhibit 5) the actions against us now are obviously an usurped power. In fact, on May 18, 1934, the federal government assumed the right to expand its police power (military) into the states, done under the pretense of "War on Crime" (See exhibit 6). The following powers, constitutionally reserved to the states, were taken without challenge by the federal war government by statute, including but not limited to:

A. An Act punishing the transmission of extortion threats in any form of interstate communication. Prior to this, only the mailing of extortion notes was punishable.

B. An act punishing robbery of a national banks with death penalty where any person is killed during the robbery. This statute is applicable not only to national banks, but to members of the Federal Reserve System and to all banks whose funds are insured by the Federal Deposit Insurance Corporation.

C. A statute requiring registration of all machine-guns and sawed-off shot-guns and rifles.

D. An Act making it a Federal offense to assault or kill Federal officers.

E. An Act authorizing agents of the Department of Justice to carry fire-arms. (including the FBI surrounding us today)

F. An Act to protect certain types of trade and commerce against intimidation and racketeering. (Banking)

G. Various statutes for improving the outworn and archaic Federal criminal procedure to make the prosecution of crime in court more effective. (including the crimes we are charged with today)

H. A statute granting Congressional consent to any two or more States to enter into agreements or compacts for the prevention of crime and the enforcement of criminal laws.

Certainly, many, many more such statutes can be documented, if anyone desires. However, these listed are primary to our concern.

THEREFORE, WE THE FREEMEN, DUE TO THE UNLAWFUL ACTS of our governments, proven without question, against all fundamental principles on which this nation was founded, have resisted. Because us and all of American posterity has been put in an absolute perpetual state of bondage, we have resisted. Since 1933, the government has put liens on the people, and written checks on them. There never did, there never will, and there never can exists, a government, or any description of men, or any generation of men, in any country, possessed of the right of a power of binding posterity with a debt used for the pleasure of the present. We have retaliated as lawfully as we know how. If we are guilty of any crime, it is probably our underestimation of the power of a war government.

The issues brought forth in this document, prove the existence of an unconstitutional "temporary" government. "In the United States, actions taken by the government in times of great crisis have - from, at least, the Civil War - in important ways shaped the present phenomenon of a permanent state of national emergency." (See WEP exhibit 11, Introduction to 1973 Senate Report 93-549) This condition effectively alters our fundamental form of government, without the knowledge, let alone the consent of the people. In order that the people might have knowledge on which to base their consent, WE WILL AGREE TO THE FOLLOWING:

A. IF: This entire document is published in the Washington Times;
THEN: Upon assurance of publication, the un-indicted women and children will agree to come out.

B. IF: 1. A copy of this entire document is delivered to the following Montana Officials: Governor, Executive Assistant Secretaries of Cabinet and up, Assistant Attorney General, Attorney General, all Legislators, District Judges and up, and U.S. Senators and Representatives for Montana.

2. An immediate standing legislative body is established hold hearings to initiate a transition toward peacetime constitutional restoration.

THEN: The un-indicted men will come out of the compound.

C. IF: To insure Justice, conditions are arranged to accommodate a common law tribunal to which those of us indicted can freely express our intentions and evidences to any Montana people who can assume innocence until evidence is presented beyond a shadow of doubt that we are guilty of a crime. The government would be allowed to present and defend their case as well. Understanding the difficulties of maintaining a war government in times of peace associated with allowing the people to judge both the law and the fact, we will agree to use the results of this common law tribunal as evidence in the government controlled courts-martial. Understanding the need for security, an isolated auditorium around Billings could be used, secured by the Montana State Guard with federal police oversight.

THEN: The remaining indicted people would agree to peacefully surrender to capture by federal police as prisoners of war, with full protection according to the Geneva Conference.

We remain enemies in War, in Peace, friends;

REGISTERED MAIL
R 784 812 974

Respond to:
Leonard Allen, Peth, sui juris
% General Delivery
Tigerton, Wisconsin
Republic U.S.A.

Ab epistolis: James E. Ramsden

Reg. No: R 784 812 974

Our original and exclusive jurisdiction court, Shawano county, Wisconsin

We the posterity People of the several states united in America, ordain **Leonard Allen, (Pethahiah) Peth**, sui juris, Freeman character,
Demandant,

against

United States federal corporation, et al, and the three branches of government creatures thereof, agent **Janet Reno**, attorney general of de facto entity and creatures thereof,
Defendant.

c.l.c number:
O.O.T.S. - L.A.P. - 96-0001

Part One,
Non-Statutory Abatement
In the form of a **True Bill**

I. Non Statutory Abatement
In the form of a True Bill

By: **Leonard Allen, (Pethahiah) Peth**, sui juris, "a governor of the sanctuary and of the house of God" (I Chronicles 24:5 and 16), "was at the king's hand in all matters concerning the people." (Nehemiah 11:24 :

In the matter of:

On or about 1861 -1865, the de jure congress of the United States, did adjourn concerning the alleged "civil war" between the states of the north and the states of the south, and has not since the said adjournment, to reconvene as a de jure congress legislative body. Being that congress has not reconvened as a de jure legislative body as mandated by their creator, We the People, by and through the Constitution of the (u)nited States of America for the United States, that the said return of congress de facto, is and always has been without a "jural society" at and from the point of time congress's adjournment on or about the year 1861 through 1865. A legislative body with out a "jural society," is without a foundation of law for its existence, and therefore lacks the power to enact laws de jure, but do pass ex

post facto unconstitutional laws, do to their failure to obey their creation contract under the constitution, therefore said non contractual compliance with We the People, could only be instrumental in enacting de facto or colorable law. That said de facto/colorable law, has also alienated the governments of the several states, by force of de facto/colorable law. The entity United States, that the people created, was instituted to secure the rights and liberties of We the People from all enemies both foreign and domestic, and for commercial purposes and dealings. Therefore the matter of abatement true bill, concerns all alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860 performed by any of the departments of government both of the United States and of the several States, is deemed to be the matter of this Non-Statutory Abatement in the form of a True Bill.

To All and Sundry Who These Presents Do or May Concern:

INTRODUCTION

This is a non-statutory abatement as a ground of necessity in the form of a true bill issued pursuant to common law rules applicable to such cases, against UNITED STATES FEDERAL CORPORATION, et al, a statutory created de facto corporation and their agent, JANET RENO, UNITED STATES ATTORNEY GENERAL, UNITED STATES DEPARTMENT OF JUSTICE, WASHINGTON, D.C., is imposing provisions of a contract counter to public morals, in the nature of a praemunire.

Chapter One

Return of legislative de facto enactments, policies and Averments

Please find the following rejected items :

All alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860, performed by any of the departments of government both of the United States and of the several States.

All above papers, alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings and documents received, but not accepted.

The foregoing items are refused for cause without dishonor and without recourse to We the People, and are returned, herewith, because they are irregular and unauthorized, and based upon the following to wit:

Comes Now, an private Christian, grateful to Almighty God, Who's Name is Yahweh, for my Liberty, and humbly Extend Greetings and Salutations to you from Yahshua the Christ and Myself by special visitation, to exercise ministerial powers in this matter, to return your alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings and documents, which were received, but not accepted.

Mark my words of your fraud:

First:

Mark: Your papers do not have upon their face We the People's full Christian appellation in upper and lower case letters, nor, do the additions in the compellation upon the items, herewith returned, apply to the people; and,

Second:

Mark: Your papers allege violations of a law, foreign to the venue of the people, which, no Oath, promise, or law attaches Me thereto; and,

Third:

Mark: Your de facto office is not established in the United States constitution or the constitution of the several states; and,

Fourth:

Mark: Your de facto enactments, polices, or averments have no foundation in Law; for the reason, they are not from an office recognized by the People or General Laws of the several states; and,

Fifth:

Mark: Your de facto procedures lack jurisdictional facts necessary to place any of the people within your venue; and,

Sixth:

Mark: Your de facto documents are unintelligible to the People, based upon the following: They are not written in proper English; being such, they fail to apprise Me of the nature of any matter alleged, if in fact your allegations have any foundations; and,

Seventh:

Mark: Your de facto documents fail to affirmatively show, upon their face, lawful authority for your presence in the People's venue; and,

Eighth:

Mark: Your d facto documents fail to affirmatively show, upon their face, the necessity for your entry upon the People's privacy; and,

Ninth:

Mark: Your de facto documents fail to affirmatively show, upon their face, your authority to violate or disparage the People in any way; and,

Tenth:

Mark: Your de facto documents have no Warrant in Law and are not judicial in nature; and,

Eleventh:

Mark: Your de facto documents are not sealed with authority recognized in the several states; and,

Twelfth:

Mark: Your de facto documents fail to disclose any legal connection between the People and your office; and,

Thirteenth:

Mark: Your de facto documents are incomplete and defective, upon their face, due to insufficient law.

Chapter two

Firstly:

Whereas, pursuant to constitutional due process requirements and the non-present Penal code to implement jailing of the people so supported by Wisconsin Constitution Article XIV sections 1, 2 and 13 and the Magna Charta, that de facto agents and employees are not Judicial Officers having power to issue orders, judgments or enact laws of any kind; and,

Whereas, returned papers concerning an unlawfully imposed contract, imposes upon my right of privacy; and,

Whereas, My privacy is a Constitutionally secured right; and,

Therefore, returned alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860 concerning an unlawfully imposed contract are harassment and a public nuisance.

Secondly:

Whereas, the UNITED STATES and THE SEVERAL STATES and their Courts is attempting to use a form of money inimical to public welfare according to the standard set by the Constitution for the United States of America (1787), Article VI, Article I, Section 8, Clause 5, Article I, Section 10, Clause 1, and the Articles of Bill of Rights One through Ten, Amendment Eleven, and the Titles of Nobility Amendment Thirteen; and,

Therefore, the threatened unlawfully imposed contract is a contra bonos mores.

Thirdly

Whereas, returned all alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860, performed by any of the departments of government both of the United States and of the several States contain the extraneous numbers, symbols, ambiguous terms (example; "dollars", 7/11/95, November 13, 1995, "money", "cash", "U.S. funds", "income", "fees", "$", "WI", driving, motor vehicle, etc.), which terminology, to me, is confusing; for the reason, I reckon (November 13, 1995) to be time in years of our Yahshua, the Christ, ("WI") to be the territory of the de facto District of Columbia; and,

Whereas, conflicting provisions of the peoples moral law forbids We the People to use of said foreign way or reckoning time, or speculating on other ambiguous terms; and,

Therefore, returned papers contain scandalous matter all to We the People harm.

Fourthly:

Whereas, pursuant to the several state constitutions, which is the creation of the political arena for the several states, mention de facto corporation is a person subject to the jurisdiction of the several states; and,

Now, therefore:

We the People are returning all of your alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860, and shall, henceforth, exercise We the People's right of avoidance; for the reason: they are irregular, unauthorized, defective upon their face and utterly void, and are, herewith, abated as a public nuisance. Therefore appear to be no factors which would warrant adjustment of the Abatement, due to Conflict of Law.

Chapter three:

Ordering Clauses;

Pursuant to published Laws WISCONSIN STATUTES of 1898 (Volume I, Chicago: CALLAGHAN AND COMPANY) page 35 to wit: AUTHENTICATION OF LEGISLATIVE ACTS. -- LAWS of THE UNITED STATES IN RELATION TO THE AUTHENTICATION OF LEGISLATIVE ACTS, JUDICIAL PROCEEDINGS AND OTHER RECORDS. [Title XIII, Chapter 17, Rev. Stat. U.S.], Mode of authentication. Section 905. et al and Authentication of non-judicial books, etc. Section 906. et al states in part to wit: ..."The records and judicial proceedings of courts of any state, or territory, or of any county, shall be proved or admitted in any other court within the United States, by the attestation of the clerk, and the seal of the court annexed, if there be a seal, together with a certificate of the judge, chief justice or presiding magistrate, that said attestation is in due form. And the said records and judicial proceedings, so authenticated, shall have such faith and credit given to them in every court within the United States as they have by law usage in the courts of the state from which they were taken."

The Political Code of Wisconsin [1979 c. 110 c. 60 (13); 1979 c. 271, 355], says the execution of judgment must be issued from and be sealed with the seal of the court and signed by the clerk where the judgment roll, or a certified copy thereof or the transcript is filed, counter signed by the owner or his or her attorney, and must be intelligibly referred to the judgment, stating the court, the county where the judgment is filed. Orders: rendition and entry. An order is rendered when it is signed by a judge. An order is rendered when it is filed on the office of the clerk of court.

That there are no published civil or common law arrestable offense(s) known to man kind to be made subject to the jurisdiction of the Political agencies of the several states.

Said UNITED STATES FEDERAL CORPORATION, et al, a statutory created de facto corporation and their agent, JANET RENO, UNITED STATES ATTORNEY GENERAL, UNITED STATES DEPARTMENT OF JUSTICE, WASHINGTON, D.C. shall abate the matter of the return all of your alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings that occurred after the year 1860, infra, or file a written response, within thirty (30) days of the release of this Non-Statutory Abatement, showing why the abatement

should not be imposed. Any and all written responses must be include a detailed factual statement supporting documentation. Failure to respond in the time prescribed, herein, will result in a Default and a Default Judgment issued from a common law court and subject Defendants to Civil and/or Criminal liabilities to be filed in the United States Court of Claims, by each of We the people jointly or severally, in pursuance of International Law and The Law of Nations.

All remittance of this instant matter should be marked with the c.l.c. Number: O.O.T.S. - L.A.P. - 96-0001, and mailed to the following location:

Leonard Allen, (Pethahiah) Peth, sui juris
General Delivery
Tigerton Post Office
Tigerton, Wisconsin
No Zip/Zipe used D.M.M. 132.32

Wherefore:

Until this Conflict of Law is resolved, and the return of We the People and government status quo ante de jure. I wish you to do the following, to wit;

First:

Obtain process issued, under seal, from a Court appertaining to a de jure judicial department; and,

Second:

That said process be based on sworn Oath or affirmation from a competent Witness or Damaged Victim; and,

Third:

That said process bear We the People's individual full Christian Appellation in upper and lower case letters, and in addition, thereto, sui juris, and, must be handled and personally served upon the private individual by the county/parish Sheriff where the private human being individual living location mandates.

There is no need for Me or any of We the People to communicate, until process is legally served.

We the People as a private Christian, will henceforth, maintain each of our Right of Privacy and exercise Our Right of Avoidance and stand upon the ground set out above.

Conclusion and demand

A de facto government which attempts to pass or enact laws is in violation of the ex post facto law constitutional provision mandated in the several state constitutions, therefore such created law is declared and deemed to be null and void on its face, see Article I, Section 9, Clause 3 of the Constitution for the United States. That the creature de facto government is required to re-establish their constitutional de jure status within thirty (30) days, or nationally radio/T.V. broad Nationally within the thirty day grace period as to why not, so performed in a point by point, in a language known to common folk, by an agent that is not a member of any bar association, or is not owing allegiance to a foreign power, or an agency that is not chartered or registered to do business with the people of the several states united in America. That all de facto alleged laws, enactments, political policies, public policies, presumptions/assumptions, judicial proceedings, and administrative proceedings from 1860 and to date, be set aside and be re-enacted by de jure law and tried in a court under the common law setting. that NO bank or banking laws shall be passed by government without the consent or grant of authority of the people, and all cheating tokens (debased coin), and script currency that does not meet the compliance to constitutional common law and the Coinage and Mint Act of 1792, such de facto form of currency is to be removed from circulation forthwith. That any/all property, of each individual people, whether in the form of unalienable rights or private property, shall be returned status quo ante, according to the Magna Charta to its rightful de jure owner, whereas the de facto government was in operation to unlawfully conversion of private property without just compensation before the taking, see Article V of the Bill of Rights. That the right of suffrage be returned to the states according to state constitutional mandates prior to the year 1860. That in the future there shall be NO financial institution created usury lien or mortgage of any kind made upon private property of any individual people, or with government, nor shall there be any loan of any kind made with any lender that said specie of lawful consideration is not in writing and agreed upon by both parties and signed by each of them, and to be in a language common to common folk of America. That No individual or group of people shall be imprisoned by any government agency or creature thereof without a judgment of a common law court trial by jury of accused's peers that know the character of the accused being so tried. That the people have the duty to exercise the relief that is well published and mandated in the Magna Charta, Northwest Treaty Ordinance 0f 1787,, The organic Constitution for the United States of America with the Bill of Rights and pre 1860 Amendments, including the 1810 Titles of Nobility amendment. That all enactments that create government agencies or creatures thereof, i.e. federal reserve banking system, internal revenue service, bar association, lending institutions, C.I.A., F.B.I. U.S. Marshall's Service or any standing army created by government agencies such as "swat teams", or deputy sheriffs to function outside the commerce jurisdiction, federal and State prisons and jails, be returned to the pre 1860 status. We the people have established and published publicly our jural society, our common law courts, our militia of the posse comitatus which is the able body of people of the county/parish over the age 15, and the military which is subordinate to the civil power.

Whereas, the de facto government, its agents and agencies thereof that refuse to within the thirty day grace period, to return de jure within your constitutional creation authority granted from the people, you shall suffer you demise, see the Book of Revelation, Chapter 18, verse 4. That each party that is in non compliance of the Titles of Nobility Amendment of 1810 and the remainder of the constitutional mandates, within thirty (30) days, shall be dealt with according to the judgment of a common law trial by jury, and each judge that does not have a Public Trust bonded oath shall cease to be a judge and answer to a common law jury for his previous acts, and NO judge shall be subject to taxation of compensation while sitting in good behavior. That any government official that interferes with the people's right to travel, right to own property and said property is barred from taxation, and/or any government official who hinder any one or all people from exercising their right to travel for pleasure freely without cost or taxation, regardless of the mode of locomotion, shall be tried as a traitor for there is no excuse to know the unalienable well published rights and liberties of the people. That said expense of We the People's return to status quo ante, shall be placed upon the federal reserve banking system its stock holders and its member banks, for it is their wrong doings and their intentions to harm the people and their republican form of de jure government, of the republic states united in America. That any operation of an enactment, statute, corporate policy, etc.. that is used to operate on any/all/or one of the people, such party so found attempting to operate as such, without the exclusive consent of the people, or without a corpus delicti, may be tried as a traitor. That any government agent/employee, or elected independent contractor, shall not have the privilege of Article V of the Bill of rights to remain silent, when the said act concerns the actors oath of office, as stated in the Magna Charta, no bailiff shall hence forth, place any man to his law without a credible witness. Thus meaning that NO government official/employee shall have sovereign immunity from any act performed upon any one or all people, and that the bailiff is not a credible witness and cannot bring any people under his law. That there is to be published and judicially noticed to the People, specifically just what constitutes a bonafide arrest/search Warrant, so that any government official that issues or participates in the issuance of any warrant that is not bonafide, is to be tried as a conspirator felon/traitor, under the rules of the common law, trial by jury. That all presumptions/assumptions go to the people according to the Magna Charta. That the interpretation of the Constitution shall be understood by and how the people see and understand the way it is written. For the reason that if the constitution cannot be understood by the people under the common law, it could not be law in the first instance.

That We the people hold our allegiance, to the civil flag of the (u)nited States of America and to the "republic" for which it stands, one nation under Almighty God, with liberty and justice for all!, and to the civil flag of the several states united in America, that all foreign flags, including the Lucifer flag (flag with a gold knotted fringe around its border, also known as a flag of beauty) is to be removed from the republic states, forthwith and replaced with the proper flag of the civil republic.

II. Verification by Asseveration

In Witness, knowing the law of bearing false witness before God and men I solemnly aver, that, I have read the annexed non-Statutory Abatement in the form of a True Bill and know the contents thereof; that the same is true of my own knowledge, except as to the matters which are therein stated on my information or belief, and as to those matters, I believe them to be true.

Verified, attested and Sealed by the voluntary act of my own Hand, Shawano county, Wisconsin, to wit:

Dated this the second day of the first month in the year of Yahshua, the Christ, One-thousand Nine-hundred and Ninety-six, Anno Domini, in the two-hundred and twentieth year of the Independence of America.

(SEAL) [L. S.]

I have the Honor of Being
Private Christian, First-Class Leonard Allen Peth

Leonard Allen, Peth, Sui Juris
Sign Manual

REGISTERED NO. R 784 812 974 **POSTMARK**

To Be Completed By Post Office		
Reg. Fee $ 4.85	Special Delivery $ —	
Handling Charge $ —	Return Receipt $ 1.10	
Postage $ .78	Restricted Delivery $	
Received by: L. Ramsden		

Domestic Insurance Is Limited To $25,000; International Indemnity Is Limited (See Reverse)

Customer Must Declare Full Value $ 10.00 ~~-Unknown-~~

[ ] With Postal Insurance
[X] Without Postal Insurance

To Be Completed By Customer (Please Print) All Entries Must Be In Ball Point or Typed

FROM
James E. Ramsden
P.O. Box 533
Stevens Point, Wisconsin 54481

TO
U,S, ATTY. GEN. JANET RENO
U.S. DEPARTMENT OF JUSTICE
WASNINGTON, D.C. 20530

PS Form 3806, April 1991 **RECEIPT FOR REGISTERED MAIL** *(Customer Copy)* *(See Information on Reverse)*

cumstances would be to occupy every position which would be consulted by officials on any question or suspicion arising on the subject of Psychopolitics. Thus, a psychiatric advisor should be placed near to hand in every government operation. As all suspicions would then be referred to him, no action would ever be taken, and the goal of Communism could be realized in that nation.

Psychopolitics depends, from the viewpoint of the layman, upon its fantastic aspects. These are its best defense, but above all these defenses is implicit obedience on the part of officials and the general public, because of the character of the psychopolitical operative in the field of healing.

COMMON LAW COURTS: MILITIA CONCERNS COME TO PASS

In an unprecedented and shocking action, Leroy Schweitzer, head of the Freemen in eastern Montana and Justice of his own "Common Law" Court, states he is issuing an "arrest warrant" for John Trochmann, co-founder of the Militia of Montana, who testified before the United States Senate and who has lectured to tens of thousands of Americans.

The reason Schweitzer claims "his" court should arrest Trochmann, is because "he [Trochmann] tampered" with Schweitzer's jury.

First a little background. We (Trochmann's) have known Schweitzer for many years. He has been battling with the court system (specifically the IRS) since the early 1980s.

Schweitzer currently has state and federal warrants for his arrest, issued by courts he will not recognize.

In other words, he has been wanted by authorities before he started the "Freemen" group and before he started his own "court."

Schweitzer claims "his" grand jury was tampered with when Trochmann in an interview stated, "IF the federal government feels it needs to do something, there are other ways than spilling blood. Such as, cutting the phone and power lines to Schweitzer place." (paraphrased with emphasis added on the word IF.)

During the Weaver and Waco siege(s), many patriots called the authorities to give them ideas on how to settle these issues without spilling blood. However, there will still be some patriots who might take exception to John giving the authorities such ideas. The only other alternative is death and/or injury to those involved (law enforcement and/or Freemen). This was one of the reasons the Militia of Montana was formed -- to stop militarized actions against American citizens. We were not formed to stop lawful arrests, thereby, allowing adjudication of the issues in a court of law.

Which was why John heartily agreed to assist the State Attorney General's office in setting up a meeting at Schweitzer's, where the Assistant A.G. and Schweitzer could discuss how to resolve the situation peaceably, when they called upon him.

John worked on this meeting for a steady two weeks. The meeting was to be on Schweitzer's term and the militia would provide security for both the A.G. and Schweitzer to ensure nobody played any "dirty tricks."

A meeting was scheduled, only to have Schweitzer back out by stating, "I won't harm him, but I can't guarantee that anyone else won't."

Now, because John has been trying to protect Schweitzer (and law enforcement) from being killed, Schweitzer issues a warrant for John's arrest out of "his" court.

Our concern for the "Common Law" courts have now come to pass.

1) There are no control mechanisms in place to protect against personality conflicts;

2) There is not even a semblance of legality (by holding election for offices) when people appoint themselves to positions;

3) By Schweitzer's action it proves that these courts can be nothing more than a "Vigilante - Chaotic" form of justice, administered by some who have personality conflicts with the rest of society;

One recommendation: Individuals who are appointed, elected, to a position on the "courts" should not be personally involved with a case with the federal/state/local governments. The reason for this is because they may have their emotions get in the way of sound judgement. Our judicial system was based on the concept of Judges having no bias or personal attachment to a case -- let's keep it that way.

Don't get us wrong, we do believe in the concept of the heritage our founding fathers established: the "Common Law courts." However, before support can be given from the Militia of Montana, some type of control mechanisms must be in place where those who have been appointed (or elected) to a position on these courts are held answerable to somebody or some citizen's judicial oversight committee, etc. (This also holds true for the attorney [bar association] controled judicial system we now have today.)