Understanding Federal Tyranny

Part 4

Welcome to Part 4 of the five-part Patriot Corps presentation, *Understanding Federal Tyranny*.

While the first two videos outlined the broad principles that underlie the continuing abuse of federal authority, the last three videos "follow the money" to prove true that general premise.

The third presentation examined the Coinage Act of 1792—to learn that the power of Congress "To coin Money" and regulate its value meant to strike gold and silver coins of precise purity at specific weights and provide them with a regulated monetary value. Today's presentation will examine the Civil War-era events that related to the first paper currencies being issued and declared a legal tender.

The Fifth and final presentation will later examine President Franklin Delano Roosevelt's 1933 gold confiscation order, which effectively pulled gold from circulation and all but prohibited private gold ownership over the next four decades.

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

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

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

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

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

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

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

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

On July 4, 1840, Democratic President Martin Van Buren ceremoniously signed into law what was widely considered America's *Second* Declaration of Independence—the Independent Treasury

Act—to *separate* "bank and State." The Act sought to implement a four-year planned process to convert 25%-per-year over to using only gold and silver coin in all federal transactions.

However, in 1841, the Whig political party took control of both Congress and the Presidency and they repealed the Independent Treasury Act the next year.

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

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

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

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

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

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

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

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

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

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

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

No paper notes issued by any State-chartered private bank could be used for *any* federal obligation whatsoever. Of course, since 1836, there had been no more national banks.

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

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

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

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

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

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

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

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

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

Section 1 also provided that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

However, far more important than knowing *what* the ruled as their final conclusion is discovering *how* the court was actually supported their finding. Indeed, the Patriot Corps does NOT dispute their actual decision, even though the Patriot Corps wholly disputes its false implication (that the opinion directly impacts the whole Union).

Stated clearly, so listeners may realize where this discussion is heading, the court only upheld paper currencies *as legal tender for the District of Columbia*. The Patriot Corps readily agrees that Congress may impose a legal tender paper currency for the District Seat, because no enumerated power prohibits such action within that exclusive legislation area.

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

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

Please realize that the 1871 opinion is a masterpiece of deception, so deciphering it is intentionally difficult. Don't be discouraged, then, if the opinion proves difficult to follow.

It is simply important to keep at it until one understands it, for it is imperative to *separate* what the court held from what it merely implied.

The first passage for study is fifteen sentences of 352 words jumbled together into one long paragraph. It is vital to break apart the important sentences and examine them by topic.

The first two sentences read, in part:

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

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

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

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

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

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

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

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

It is important to realize that the court informs readers that viewing the Legal Tender Act from a hard-money perspective is the wrong perspective—that one cannot view the case from the false viewpoint that paper currency was incorrectly emitted in 1862, because the Constitution's enumerated monetary powers don't reach beyond coin.

While the first three supreme Court cases that examined paper currencies were all viewed from that perspective, this passage from in the fourth case informs Patriots that the justices would issue their opinion from an entirely *new* and *different* perspective (which final ruling would be wholly based on that new perspective).

Thankfully, for those Patriots of us who are rather dense, the court provided additional comments, to solidify the conclusion that the ruling would be examined under a different outlook. To ensure that paper currencies were NOT viewed in relation to them being a monetary standard under Article I, Section 8, Clause 5, the court said:

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

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

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

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

a. are NOT "coinage;"

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

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

d. are NOT "money."

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

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

After the court had alerted people to pay close attention, it next clearly informed them that it was a *mistake* to view the legal tender Acts from a monetary perspective, since paper currency is not money and has no intrinsic value.

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

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

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

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

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

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

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

In his *concurring* opinion, newly-seated Justice Bradley also commented that United States notes were "a *promise*…to *pay* dollars…*not*…to *make* dollars."

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

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

Paper currencies of the era were legal obligations asserting that the U.S. Government would someday pay to the holder of the notes, coined money of gold or silver. That is because the only "things" which are "money" for the Union are gold and silver coin. Only coins of gold or silver are struck in a precisely-determinable and therefore "regulated" value—the only "things" which have inherent value, and, in fact, which *are* the Standard for determining Value.

And, of course, the first legal tender government *I.O.U.'s* did promise to pay off later in coined money.

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

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

Although *The Legal Tender Cases* had nothing to do with any alleged crime, it is proper to examine the federal criminal jurisdiction under the Constitution because that is the specific example the court would cite to reference the authority they would use to uphold paper currencies as legal tender.

Since *The Legal Tender Cases* had nothing directly to do with any alleged crime, the discussion of a topic seemingly irrelevant is either important because it is indirectly relevant or it is immaterial.

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

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

Next, the court also correctly commented that:

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

Indeed, in a government of delegated powers, all actions in excess of those delegated are retained by the original delegating bodies (in this case, the several States).

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

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

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

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

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

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

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

1. First, the court began their admission by correctly acknowledging that Treason, Counterfeiting, Piracy and Impeachments are "the extent of power to punish crime expressly conferred" (within the Constitution).

2. The court next admitted the normal principle regarding a government of expressly-delegated powers, that "It might be argued that the expression of these limited powers implies an exclusion of all other subjects of criminal legislation."

3. The court then brought the general discussion of a government of delegated powers to the specific case seemingly before the court, repeating the strict-constructionist's argument that Congress "cannot declare anything other than gold and silver to be money and make it a legal tender."

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

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

This precisely-worded passage provides a strong clue that the justices in 1871 weren't being forthright in their actions.

Neither is this strict attention to detail the only instance found in the opinion.

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

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

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

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

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

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

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

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

It should be mentioned that *Impeachment* was not covered in the 1790 crime Act, because the punishment of this crime does not extend further than removal from office and potential disqualification from holding future federal offices of honor, trust or profit.

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

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

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

The same goes for **Section 7**, which is worded:

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

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

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

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

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

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

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

Clause 17, as viewers of Parts 1 and 2 of this video series already know, authorizes a unique district that is to be constituted as the Seat of Government of the United States.

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

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

Even though the specific *crimes* detailed within the 1790 crime Act that were committed within the exclusive legislative lands aren't explicitly *named* within the Constitution, this fact is irrelevant to the actual provision of allowable criminal jurisdiction therein. Indeed, the court readily acknowledges that it was *unquestioned* that the punishment of crimes in such exclusive legislation areas was readily within the power of Congress. The punishment of all crimes committed on Clause 17 properties is included within the phrase "in all Cases whatsoever" that is expressly found within the Constitution.

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

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

The final topic centers on *court process*.

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

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

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

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

Since Treason, Counterfeiting and Piracy were all *mentioned* in the Constitution, since they were all pointedly *referenced* in the Constitution, and since the criminal jurisdiction for those crimes were all directly *conferred* within the Constitution, the only large class of crimes to which *The Legal Cases* Court *could have meant* were those crimes relating to *Article I, Section 8, Clause 17 properties*.

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

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

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

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

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

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

This is *why* the supreme Court answered its question—"how could anything be made a uniform standard of value which itself has no value"—with the peculiar answer, that the question was "foreign to the subject before us" — because their opinion did NOT address the monetary clauses of the Constitution used for striking American money of gold or silver coin for the Union. Indeed, no American court can issue that opinion, because the monetary clauses of the Constitution *cannot* and *do not* reach the emission of paper currencies, period.

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

In conclusion, it is important to recall that every member of Congress and high federal official must swear an oath to *support* the Constitution. No person delegated federal authority may determine the extent of their allowable powers for the Union, nor the extent of powers for their friends and cohorts. While Congress may *propose* amendments to the Constitution, only the *States* may *ratify* them. Only the States of the Union may change the allowed powers of Congress and the Government of the United States.

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

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

First, for the whole Union, they may only exercise enumerated powers using necessary and proper means.

Second, under their power for the District Seat, they may exercise every possible power imaginable, taking only the minimum of care to refrain from doing something expressly prohibited them.

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

The answer, of course, would be the latter, as long as they can get away with it.

Understanding Federal Tyranny was written to expose the devious actions used by scoundrels to gain unlimited power, to end their charade.

Stay tuned for Part 5 of the five-part *Understanding Federal Tyranny* series, which inquires into President Franklin Delano Roosevelt's 1933 gold confiscation which effectively prohibited private gold ownership for the next forty years.

For those persons desiring additional study materials and more in-depth background information, please see any of Matt Erickson's ten public domain books found at the PatriotCorps.org website, including *Understanding Federal Tyranny* in book form.

God bless these United States of America and the Republic they founded.