

By MICHAEL W. MARTIN

The CAMPO BRIEF

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 l i c e n s e ; if one wants to work, one must o b t a i n a license (Social Security Card). It has sometimes been said, one will not be able to buy, sell, or trade without the M a r k (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 N o t e s (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 o r d e r 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 u n a l i e n a b l e 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/Admiralty jurisdiction) around 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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