

Are You Grateful?

Tea Party Keynote Address

April 15, 2010 by Thomas Weddle

***"TO THE END**, that justice be established, public order maintained, and liberty perpetuated; WE, the People of the State of Indiana, grateful to ALMIGHTY GOD for the free exercise of the right to choose our own form of government, do ordain this Constitution.*

WE DECLARE, That all people are created equal; that they are endowed by their CREATOR with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well-being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government." (Preamble & Article 1 Section 1, Constitution of the State of Indiana)

I have just recited in your hearing the Preamble & Article 1 Section 1 of the Constitution of the State of Indiana. The people of the State of Indiana, speaking in their original character, were grateful to ALMIGHTY GOD for the free exercise of their inalienable right of making and enforcing contracts and established this Constitution upon their authority.

Are you grateful to ALMIGHTY GOD for your Liberty? Are you grateful to your CREATOR for the liberty of self-direction to establish civil protection for your Life, Liberty and Pursuit of Happiness?

If you are grateful, then there are certain duties and responsibilities of self-government that you must exercise to defend your Liberty.

Consider your life for a moment as a Hoosier, you grow up and graduate from high school, maybe you go on to college and meet a nice girl, get a job, get married, take out a mortgage, have a few children – life is good. You are living the American Dream.

Thirty years later, you've raised your family and are in your mid-fifty's and finally, you go down to the Bank to make your 360th payment on your mortgage. Your home, your land - your property is finally yours – free and clear! To your surprise, however, your banker informs you

that you've got another 30 years to go - "Dear sir, the terms of your contract evolved, didn't you know?"

For the past century the United States Congress has passed Acts of usurpation over and over from the Federal Reserve to the most recent ObamaCare. This contract of limited and enumerated terms has been abused, usurped and continually breeched whereby that limited government has grown to monstrous proportions. On numerous occasions, and in response to a multitude of cases challenging these continual breeches of contract - the Supreme Court has told us time and time again - "Dear Sir, the Constitution of the United States has evolved - didn't you know!?"

No, I didn't know! Contracts do not evolve. The limited and enumerated terms of the Constitution of the United States no more evolves than the terms of your mortgage. You don't accept this principle regarding any contract you have and you should not accept it regarding the contract you have with civil government either.

Consider for a moment that heinous ruling of the Supreme Court, Roe v Wade. The Court told us the contract evolved, new light was emanating from its penumbra's, the inalienable right of the free exercise of making and enforcing contracts extended all the way to terminating a pregnancy. This imagined liberty precedes life itself. Today, we are told by the same bunch that support that idea, that we don't have the right to the free exercise of contract concerning how we may choose to handle a broken arm or a scuffed knee.

People, are you grateful to ALMIGHTY GOD for the free exercise of the right to choose your own form of government?

A Constitutional crisis has descended upon us, a crisis that if left unchecked threatens to destroy the very foundation of our free institutions of civil government.

I am talking about that recent and heinous Act of Congress signed by President Obama on March 25, 2010 as pretended legislation entitled - "The Patient Protection Affordable Care Act:"

I have three points I would like to expound upon:

1. What This Act Actually Is
2. Why Indiana Must Get Out of the Florida Lawsuit
3. How To Protect Your Liberty

1. What This Act Actually Is

After having read this Act and realizing it was very similar to a system of regulation I was subject to for over a decade, I believe that "ObamaCare" is a Bill of Attainder in violation of Article 1 Section 9 of the United State's Constitution. A Bill of Attainder is very simply - trial by legislation that deprives someone of life, liberty or property without due process of law. (US v Lovett 328 US 303, 1946)

What this Act does is extinguishes your inalienable right to the free exercise of making and enforcing contracts. The Act purports to coerce free people under threat of penalty to contract a debt for health insurance and create the interstate commerce that Congress desires to regulate before exposure to the law.

This is called "monopsony power," I'm sure you understand what monopoly power is, it is the monopolization of the selling side of a marketplace. Monopsony power is the monopolization of the buying side of a marketplace. Consider your water company, they have the monopoly power to bring water to your home, monopsony power is the sewer system. That is what "ObamaCare" is, a sewer system - a nationalized stream of crap!

What Congress and President Obama have done is turn the Commerce Clause of the United State's Constitution inside out, like a dirty sock, they have erected a general police power creating an unlimited centralized government that extinguishes your inalienable right of contract - the very foundation and authority of all free civil governments.

I am ashamed to inform you that this has been done in the name of the public, the Act converts insurance companies into regulated public utilities; the multi-trillion dollar National Debt is not enough for Congress, they are drafting you into debt personally, on behalf of the public, and then regulating you - it can be summed up in two words - involuntary servitude. This gives the "full faith and credit of the United States," a whole new meaning. This is not a tax, this converts your power of contract and your credit into a "consumer-utility" service and binds you to service at interstate commerce, fulfilling the obligations of those contracts, on behalf of the public.

This is not like buying insurance for a licensed motor vehicle – this is licensing you, as property of the United States, and taking your liberty away through legislation without due process of law. This is a Bill of Attainder.

The Attorney General of the United States applied a similar scheme of twisting the Commerce Clause and Necessary and Proper Clause against the State of California in nullifying their “medical marijuana” law. Justice Clarence Thomas of the United States Supreme Court recognizing the threat, dissented:

"If the Federal Government can regulate growing a half-dozen cannabis plants for personal consumption (not because it is interstate commerce, but because it is inextricably bound up with interstate commerce), then Congress' Article I powers – as expanded by the Necessary and Proper Clause -- have no meaningful limits. Whether Congress aims at the possession of drugs, guns, or any number of other items, it may continue to "appropria[te] state police powers under the guise of regulating commerce."...Congress may not use its incidental authority to subvert basic principles of federalism and dual sovereignty...If the majority is to be taken seriously, the Federal Government may now regulate quilting bees, clothes drives, and potluck suppers throughout the 50 States. This makes a mockery of Madison's assurance to the people of New York that the "powers delegated" to the Federal Government are "few and defined", while those of the States are "numerous and indefinite...This Court is neither willing to enforce limits on federal power, nor to declare the Tenth Amendment a dead letter." *Gonzales v Raich*, 545 US 1, 2005 citing *US v Morrison*, 529 US 598, 2000

2. Why Indiana Must Get Out of the Lawsuit with Florida

Indiana is a Northwest Ordinance State, it has standing antecedent to the United State's Constitution. This Northwest Territory has always been free, our State has always been free, slavery and involuntary servitude were prohibited here from the inception of its Charter.

You are probably familiar with the concept of due process and taking of property for public use, the Indiana Constitution includes compensation for services as well, derived from the Northwest Ordinance Sec 14 Art 2, and is secured in Section 21 of Article 1 of our State Constitution.

No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

If the Federal Government, and by extension the State of Indiana implementing Obamacare, is going to draft me into labor or services on behalf of the public, to create this "universal coverage," whereby I am required to contract a debt against my will, then I believe I am entitled to just compensation for that service. I believe you are as well. After all, we don't draft people into the military and not pay them, do we?

Now consider, Courts apply the law to the facts consistent with the legal standing of the litigants before it.

Indiana, by enjoining Florida, has diminished its standing – it is no longer standing as a Northwest Ordinance State, where slavery and involuntary servitude were prohibited antecedent to the Constitution, but under Florida as a post-Reconstruction slave State.

If Indiana needs to sue or be sued, I think it should stand on its own two feet, upon its own standing, under its irrevocable Charter – The Northwest Ordinance. Indiana, I believe, needs to take three to six months and figure this thing out and the best way to address it in the Courts, not enjoin a knee-jerk reaction of the State of Florida.

I'm sure the Attorney General of Florida, Bill McCollum, is a nice guy – but we didn't elect him to represent us. If you've read the Florida lawsuit, then you know it doesn't cite one single Supreme Court reference for defense of its claims – not one.

All Acts of Congress are presumed to be Constitutional by the Court – innocent until proven guilty - you have to prove beyond a reasonable doubt they are unconstitutional, the same burden of proof as a criminal case.

You know how a man can be charged with murder, yet maybe the evidence – the smoking gun – was obtained in violation of the 4th Amendment and will be suppressed? Even though the Court knows the guy is guilty, he goes scott free. ObamaCare is like that, its designed to be implemented in multiple jurisdictions and it is that implementation in multiple jurisdictions that gives rise to its

unconstitutionality. In order to win that argument, you've got to get the evidence from those multiple jurisdictions into evidence, in order to prove beyond a reasonable doubt the Act is unconstitutional, otherwise the "smoking gun" is suppressed, and even though ObamaCare is guilty of murdering your liberty – it gets off scott free.

Indiana needs to get out of this lawsuit with Florida!

3. How to Protect Your Liberty

When the Senate of the United States drafted this convoluted plan, they had doubt they had the Constitutional authority to coerce people to buy health insurance, so they asked the Congressional Research Service that question. They responded:

"Whether such a requirement would be constitutional under the Commerce Clause is perhaps the most challenging question posed by such a proposal, as it is a novel issue whether Congress may use this Clause to require an individual to purchase a good or a service." Cong. Research Serv. Requiring Individuals to Obtain Health Insurance: A Constitutional Analysis 3 (2009)

In other words, "We don't know."

What do we know?

In 1867 the Congress of the United States passed a statute protecting the rights of United States citizens to make and enforce contracts, that is codified at 42 USC 1981. The Supreme Court has ruled time and time and time again that this statute protects the right of citizens to the free exercise of making and enforcing contracts, the several State's may not deprive those citizens of that right. We know that, Indiana knows that, Congress knows that, the Supreme Court knows that. That is a settled question.

The question over ObamaCare is not a Constitutional question yet, it is a statutory question, and until that is resolved it shouldn't be a Constitutional question. Congress has the authority to repeal 42 USC 1981 and make this a Constitutional question, till then I believe Indiana should simply obey this statute.

What is the State of Indiana going to do? Is it going to obey a Federal law that was enacted 143 years ago and is long settled, that requires it

to protect the rights of its citizens to the free exercise of contract, or is it going to enjoin the present Congress and extinguish those rights, encumbering its legal status in the State of Florida asking judges appointed by Bill Clinton, in a Court outside of our judicial district, for permission to obey the Constitution?

Come on – don't be so naive!

I believe Indiana needs to pass a Resolution of Interposition and stand upon what it does know, I believe Indiana should obey 42 USC 1981 and its Constitution and protect the rights of its citizens.

The United States has already engaged interposition and nullification against the State of Indiana ordering it to violate Federal laws, both the Constitution of the State of Indiana and the Constitution of the United States, and nullify its citizens' right to the free exercise of making and enforcing contracts. The proper response to that is NO!

Congress is not prohibited from repealing 42 USC 1981, nor are they prohibited from suing us. The only question before us right now is which Federal statute rules, the statute protecting citizens rights of contract (42 USC 1981) or ObamaCare?

I believe the citizens of the State of Indiana need to petition our State government to stand up and obey the law, not encumber its legal status with Florida over a question that doesn't even exist yet. If you want to learn more about that, go to my website, RestoreGovernment.com and let me know what you think.

President Obama and his liberal bunch believe you exist to provide them with power and position, I believe you exist to glorify ALMIGHTY GOD and He has given you freedom! Listen people, every right you have, every one rests upon how you respond to this egregious usurpation of power.

I want to know, are you grateful to ALMIGHTY GOD for the free exercise of choosing your own form of government? If you are, go to RestoreGovernment.com and help me defend Liberty!

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Note: Nothing herein is or should be considered legal advice to anyone, I am not an attorney, just a student of the Constitution and American history. The concepts and ideas expressed herein are my personal opinions and are not provided to induce anyone to engage in any activity which may be considered "lobbying," under applicable State or Federal laws. I believe in obeying "every ordinance of man for the Lord's sake." (1 Peter 2:13 KJV)

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