

Frontiersman

January, 1994

*There Freedom lies, across the last frontier. There danger lurks, and hazards linger near.
Security's a stranger there, that's clear, but freedom's there, across the fear frontier.*

Rich Man, Poor Man, Beggar Man, Thief: A Satirical Essay

by Sam Aurelius Milam III

Part 1: There Was a Crooked Man Who Walked a Crooked Mile

There are two types of people on government supported welfare programs: those who need to be, and those who don't. Of the two types, only those who need the support are victims of poverty. Everyone else involved with a welfare program, in whatever capacity and however remotely, is benefitting from poverty. This, of course, includes those recipients of welfare payments who don't need them. Thus, the primary consequence of government supported welfare programs is to insure that the number of people benefitting from poverty is greater than the number of people suffering from it.

Parkinson's Law,¹ as applied to government supported welfare programs, tells us that welfare recipients will increase in number such as to absorb all available welfare payments. As a corollary, this increase in numbers will shift the proportion of welfare types heavily toward those who don't need it. The only limit to the total number of recipients that may exist is the level of payment that can be tolerated by the rest of society. Students of social dynamics usually refer to this as Propulsive Poverty, and recommend against it. In fact, those students with a finely honed sense of cynicism claim that the only workable solution to the problem of providing welfare support is to stop doing so as quickly as possible.² While a week's notice to all recipients might be considerate, these scholars point out that consideration isn't really necessary, and overnight termination would be best.

I have examined this recommendation at some length and found benefits of the most profound nature. However, before discussing

¹ Parkinson's Law, C. Northcote Parkinson, 1957

² There's never a question of whether or not to initiate a welfare program. Invariably, some fool has already done so.

these benefits, it's appropriate to dispense with needless concern for those individuals from whom welfare payments are to be withdrawn.

First, we need feel no remorse for the plight of those welfare recipients who don't need welfare. They're all, by definition, capable of supporting themselves by their own abilities, through honest labor. Those who are willing to do so will earn a living. Those who are unwilling will starve. Hopefully they'll do it quietly, somewhere far away.

Likewise, we need feel no remorse for those who really need welfare. Although they are unable to make an honest living, a promising future awaits them. Their problem is to survive, and having been abandoned by society, they need feel no reciprocal obligation. Amidst the wealth around them, to survive they need but steal. Although this suggestion may draw gasps of horror or dismay from the Bleeding Hearts, Do-Gooders and various other imbeciles, it is a sound concept. It stems directly from the removal of welfare payments and furthermore, provides the only valid test yet discovered for the real and honest need for welfare support. That is, those who are caught will be automatically placed in another, less appealing, welfare system: prison.

Coming Soon:

Part 2:

[He Found A Crooked Sixpence
Beside a Crooked Stile](#)

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Constitutional Amendments

Commentary by Don Cormier

Anyone interested in urging the passage of the Liberty Amendment in letters to Congress should refer to H.J. Res 23. Anyone interested in getting more information can write to:

Liberty Amendment News, P.O. Box 2386, El Cajon, California 92021.

While the proposal as written is valuable, Sam and I feel that the language is imperfect. For your intellectual stimulation, Sam offers the modified version.

The Liberty Amendment

From The Liberty Amendment News, July 1993, Vol 15, No. 2

by Sam Aurelius Milam III

"Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial, or industrial enterprise except as specified in the Constitution.

"Section 2. The constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates and/or gifts."

Section 1. The United States shall not engage in any business, professional, commercial, financial, or industrial activity except as specified in this Constitution. Activities of the United States which violate this prohibition shall be terminated within three years of the date of ratification of this amendment.

Section 2. Article VI, Section 2 of this Constitution is hereby repealed. Hereafter, this Constitution shall be the supreme law of the land, regardless of anything to the contrary: in the laws of the United States; in the Constitution or laws of any State or local government; or in any treaties or agreements made or which shall be made under the authority of the United States, any State, or any local government.

Section 3. The sixteenth amendment of this Constitution is hereby repealed. Hereafter, the United States shall not levy taxes on incomes, wages, commercial transactions, property, inventories, estates, births, deaths, or gifts.

Then and Now

by Sam Aurelius Milam III

On July 16, 1979, a federal Department of Energy regulation, *Emergency Building Temperature Restrictions*, was implemented by President Carter. This regulation required that thermostats in buildings be set so that no room was heated above 65°F nor cooled below 78°F. The temperatures in all buildings were subject to audit by federal regulatory agencies. Substantial fines were established for noncompliance. The regulation also required that the temperature of hot water in restrooms be reduced to 105°F. Auxiliary heating devices, including portable heaters, were forbidden by law.

I perceived the regulation as legislation issued by the executive branch of government, in violation of Article I of the U.S. Constitution. On August 2, I objected by mail to President Carter and was informed that the President had acted under the authority of the Energy Policy and Conservation Act, an act of Congress. That is, the Congress had authorized the violation. Thereafter, I began to promote a Constitutional amendment:

the Legislative Powers Amendment

Section 1 The Congress shall not delegate legislative powers.

Section 2 Legislative powers previously delegated by the Congress are revoked by the enactment of this amendment.

Section 3 This amendment shall become part of the Constitution upon ratification by the legislatures of three-fourths of the several States, as provided in the Constitution.

I'm no longer particularly interested in amending the U.S. Constitution. However, for those of you who are, such an amendment remains desirable. The executive agencies of the U.S. government continue today to issue regulations that have the force of law.

ABORTION AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA

by Jim May

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subjected for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

[emphasis added]

Fifth Amendment, U.S. Constitution

Therefore, no person shall be deprived of life without due process of law.

Person. "In general usage, a human being (i.e. natural person)" Black's Law Dictionary

Conception. "The beginning of pregnancy. As to human beings, the fecundation of the female ovum by the male spermatozoon resulting in human life capable of survival and maturation under normal conditions." Black's Law Dictionary

There is no mention of age in any legal definition I could find defining a person under the law. To me, this means that a human being is legally a person under the law from conception through old age and a natural death.

Person. "Unborn child is a 'person' for purpose of remedies given for personal injuries, and child may sue after his birth. *Weaks v. Mounter*. . . ." Black's Law Dictionary

This precedent admits that the unborn child is a person, and was based upon the theory that the unborn child has the right to protection from harm and to apply for redress of personal injuries.

Abortion. "The knowing destruction of the life of an unborn child or the intentional expulsion or removal of an unborn child from the womb other than for the principal purpose of producing a live birth or removing a dead fetus. However, prior to approximately the end of the first trimester of pregnancy the attending physician in consultation with his patient is free to determine, without regulation by state, that in his medical judgment the patient's pregnancy should be terminated. . . . *Roe v. Wade*. . . ." Black's Law Dictionary

The exception cited in Black's Law Dictionary specifically states that an abortion may be performed only if, in the physician's medical judgment, it is necessary.

Murder. "The unlawful killing of a human being by another with malice aforethought, either express or implied. *State v Hutter*. . . Murder is the unlawful killing of a human being, or fetus, with malice aforethought. Cal. Penal Code, § 187" Black's Law Dictionary

Which speaks for itself.

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

Sixth Amendment, U.S. Constitution

I interpret this as meaning that an unborn person should have at least the same legal protection as any person accused of a capital crime, even though the unborn person's crime is the crime is being an unwanted child.

I say capital crime because the maximum penalty of a capital crime is to be deprived of life. Since the unborn person is being compelled to give up his/her life, the very least that society can do for the unwanted child is to make sure that the child is represented by a counsel for his/her defense, and receives the protections the U.S. Constitution. In my opinion, this means that a jury must decide if the termination of a pregnancy is to be allowed, except in cases of medical emergency.

A mitigating argument is as follows:

"Neither slavery nor involuntary servitude, except as punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Thirteenth Amendment, Section 1, U.S. Constitution

In other words, compelling a woman to carry an unwanted child, without first convicting her of a crime, compels her into involuntary servitude in violation of the Thirteenth Amendment.

In my opinion, this section of the thirteenth amendment can be invoked only if involuntary impregnation can be demonstrated. Otherwise, the woman must be considered a voluntary participant in her own impregnation and must be held responsible for all of the the consequences of her own actions.

As *person* is not defined as a citizen under any of these provisions, they apply equally to all persons regardless of citizenship as long as they are within the jurisdiction of the United States of America.

In conclusion, unless the constitution is changed and equal protection under the law is repealed, every person's life, from conception through old age and a natural death, is protected under the Fifth and Sixth Amendments of the United States Constitution. Exceptions should include involuntary impregnation, medical emergency, and a verdict by a jury.

What do you think?

Buck Hunter Shoots Off His Mouth

Dear Buck
What's a neurologist? —Student

Dear Student
Someone who hasn't been a rologist for very long.

Dear Buck
What do you think of the stock market? —Investor

Dear Investor
It's a darned good place to end a cattle drive.

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Frontiersman

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the cost of Liberty.*