



Liberty Tree

Vol. 17, No. 11 — November 2015

Federal Judiciary —

Oligarchy Hit-Men!!!

Part VII

By John Baptist Kotmair, Jr.

In the last six issues of the *Liberty Tree*, we have been covering the tyrannical treatment of Patriots at the hands of seditionists in the federal government – in particular the Internal Revenue Service, Department of Justice and the federal courts, which I call the *Evil Trio*. Last month, we covered my trial and conviction, and in this issue we will cover my sentencing and incarceration.

Before getting into those seditious exercises, however, I want to tell you about being contacted by the *Baltimore Magazine* for an interview. Between my indictment and the start of the IRS/DOJ show trial extravaganza, I received a call from the *Baltimore Magazine* asking if they could do a story. Looking for any opportunity to bring the criminal activities of the IRS and DOJ to the public's attention, I readily accepted, and was given a date and time to meet their photographer at the federal courthouse in Baltimore.

Accompanied by my wife Nancy and Professor Andrea Boucher, I met the photographer, and he must have taken at least 40 or 50 pictures in front of the *Edward A. Garmatz U. S. Courthouse* in Baltimore, which has the distinction of

being named for the late Congressman Garmatz just before he was indicted by a federal grand jury for conspiracy and bribery. Soon after, I received another call to set up the appointment for the story interview.

I took a copy of the Internal Revenue Code along with me to the interview, as well as some Supreme Court rulings on the application of the 16th Amendment to the U.S. Constitution (the 'income tax Amendment'), and started showing the interviewer the evidence that U.S. Citizens, living and working within the States of the union, were not subject to the imposition of the federal income tax laws. After about half an hour, the interviewer interrupted me saying, "You're talking about law." I replied, "That's right." He then said to me, "We're not interested in someone arguing law. We want a rebel." He then terminated the interview, and canceled the article, for which my picture was to appear on the front page of the April issue of the *Baltimore Magazine*. Of course, Americans were the real losers, suffering further

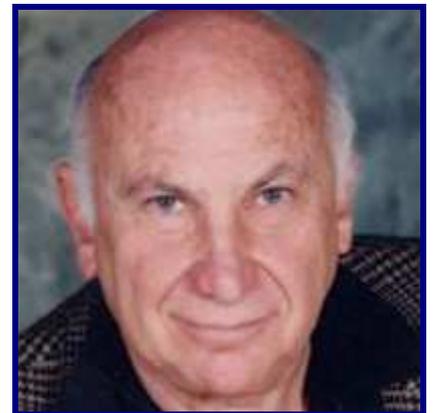
(Continued on page 2)

Death of a Patriot

From the *Peter Schiff Show* website – <http://www.schiffradio.com/>

My father Irwin A. Schiff was born Feb. 23rd 1928, the 8th child and only son of Jewish immigrants, who had crossed the Atlantic twenty years earlier in search of freedom. As a result of their hope and courage my father was fortunate to have been born into the freest nation in the history of the world. But when he passed away on Oct. 16th, 2015 at the age of 87, a political prisoner of that same nation, legally blind and shackled to a hospital bed in a guarded room in intensive care, the free nation he was born into had itself died years earlier.

My father had a life-long love affair with our nation's founding principals and proudly served his country during the Korean War, for a while even having the less than honorable distinction of being the lowest ranking American soldier in Europe. While in college he became exposed to the principles of Austrian



(Continued on page 4)

(Continued from page 1)

ensorship of the truth about crimes committed by federal government employees and appointees.

The death of Liberty

My sentencing was scheduled for one month after my conviction, in the middle of May. About 300 Patriots were already demonstrating outside the courthouse when I arrived. A local dentist had made two sets of vampire fangs, the same quality as false teeth. Two local young men – John McDade and John Sasscer's son Johnny – were dressed up like Count Dracula, wearing the fangs and attempting to attack Joan Howard, dressed as Lady Liberty. Joan's husband, Herb, was fending them off with the U.S. Constitution instead of a cross. They finally broke past Herb, and laid Lady Liberty on a table, inserted a needle with a hose attached into her arm, and drained her life blood into a 5-gallon glass jar, while a crowd of Patriots jeered at the two vampires, and local TV news cameras were filming the whole thing. Naturally, this superior-to-Hollywood theatrical display on Lombard Street – a main artery in Baltimore – caused a traffic jam. The 11 o'clock TV news showed me on the 4th floor of the courthouse, looking down on this Patriotic spectacle.

The sentencing opened up with Judge Miller asking Assistant U.S. Attorney Steve Allen if he had anything to say. Allen replied that he had just received his copy of the *Philadelphia Magazine*, from his home city, and upon opening it up, saw a picture array of Irwin Schiff and myself, among other Patriots at the re-enactment of the Boston Tea Party. Allen complained to Miller that this occurred while the trial was ongoing, and contended that this showed that I was not remorseful for committing these unlawful acts.

The death of Justice

Miller then asked me if I had anything to say, to which I replied, "I most certainly do." I then pointed to Allen and said, "He charged me with 'Willful failure to file returns,' and then he introduced two returns that I had filed into evidence." I continued, "This court is a circus, and you are the clown."

Miller then said, "Now I will have my say." Looking at me as though I was the most horrid criminal alive, he continued, "You are incorrigible. You are beyond rehabilitation. I am going to give you the maximum sentence allowable by law, and I wish I could give you more." I replied, "I will come out ten times worse than when I go in." (During my incarceration, I wrote Miller letters telling him, "In your heart you know I'm right." I could tell that I was getting to him, because he would respond with some lame excuse for his actions.)

I was again released on my own recognizance, without travel restrictions, and told that I would be notified when and where to report in. That was in May of 1981, and it wasn't until August 19th, 1982, that I was told to report to Maxwell Air Force Base in Montgomery, Alabama. I was incarcerated that far from home for two reasons. The first reason is that having been a police officer, it was common practice not to

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be incarcerated where there was a possibility of individuals that I had arrested being part of the population. The second reason was that Miller told Arthur Tranakos that Maxwell was the second best prison camp in the system, and to ask me if I would like to go there. Since, according to him, Lompoc in California was the best, I chose Maxwell without any hesitation.

IRS' (fleeting) moment of glory

Once I was sentenced and released on my own recognizance, I left the courthouse, and was immediately ushered in front of a bank of about 10 to 15 microphones by Dominic La Ponzina, the Public Relations Director of the Baltimore IRS office. Unbeknownst to me, Dominic had arranged this press conference. Although he thought this was going to be his day of glory, it had already been marred by Herb Howard's theatrics on Lombard Street, and was about to be totally destroyed.

When I reached the reporters, one stuck a microphone in my face, and said, "Well, Mr. Kotmair, now that you have received the maximum sentence, what do you have to say?" I replied, "I am proud to be in service for my country, and there is going to be a banquet in honor of that this evening just up the street in the Holiday Inn meeting room, and you are all invited to come." Having said that, I walked away with my eye on La Ponzina, who looked like a little boy whose candy was taken away.

That evening, the local NBC, CBS and ABC affiliates were all at the banquet with cameras rolling, filming Arthur Tranakos and about 30 leaders of Patriot organizations congratulating me for my stand for the Constitutional Republic, and I received many awards commemorating the event. Edited news reports of the event were shown on all

(Continued on page 3)

(Continued from page 2)

three 11 PM newscasts. The CBS News team stayed for the whole affair, and even interviewed me afterward. The news anchor said to me privately, "This is more than meets the eye." I replied, "It most certainly is."

From the mid-May 1981 to August 15, 1982, Nancy and I spent our time on the road, recruiting for the Patriot Network and then for the National Patriot Association. We visited every State except Alaska and Hawaii, and met with most of the Patriot organizations therein.

Then on August 14th, 1982, Nancy and I were separated for the first, and last time, in 26 years. This was truly the only punishment inflicted on us, and gave rise to the most resentment in me. I had to take a flight the day before I was to report in, because a flight the next day would have gotten me there after the designated time, and would have caused me to be charged with escape.

Welcome To Club Fed

When I finally arrived at the prison camp gate it was too late to be assigned a bed, and the guard put me in what is called the "hole" until the administration office opened in the morning. For the first time in my life, the exit door was shut, and I saw that there was no doorknob on my side. That was a mind trip, and it took much prayer to get to sleep that night.

The next day I was assigned a cubical in "D Dorm," which had the distinction of housing Nixon's gang of burglars known as "The Plumbers" while they were guests of the camp. I was shown the expected routine by the "houseman,"

an inmate that cleaned and actually ran the dorm, which was probably the best job in the camp. I was assigned to a civilian overseer, who made me a riding-mower jockey on the landscaping crew for the Air Force Base.

Meal time at Maxwell certainly lived up to Miller's assessment of the camp. The quality and selection was as good as any 5-star restaurant, and would put most smorgasbords to shame. After the evening meal, we were free to do as we pleased: play cards; watch TV; read; play pool or tennis; anything except leave. And speaking of leaving, it would have been a simple thing to do, since there were no fences; just a red line painted across the road. During my stay, however, there were no attempts to escape, but there was one suicide to prevent being put out. Yes, you read that right. An inmate, who had been incarcerated most of his life, hung himself the day before he was to leave.

Thus was my introduction to *Club Fed*. In my absence, Nancy never had it so good. God Bless her -- *for her price is far above rubies* (Proverbs 31:10). But that phase of the story will have to wait until next time. So, be sure not to miss the December 2015 issue of the *Liberty Tree*, and the next installment of *Federal Judiciary — Oligarchy Hit-Men!!!*, as we continue this saga of the extremes of lawlessness to which the *Evil Trio* are willing to go.



Today's Constitutional Comment

with Carroll County, Maryland Commissioner Richard Rothschild

Article 4, Section 4 of the Constitution says, "The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence."

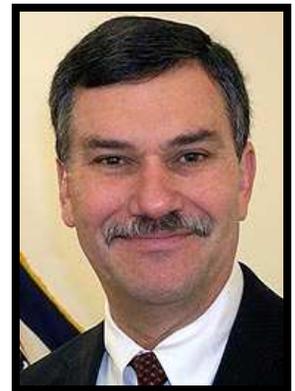
Yet, the federal government refuses to seal our borders, and is now importing middle-east refugees that take no oath to America. Our enemy's enemy is not necessarily our friend, and many of these importees may be ISIS sympathizers. This poses a threat of domestic violence.

What do you do if the federal government refuses to uphold the Constitution, or aids and abets in orchestrating an invasion of the Sovereign States?

Tell your governor to issue an Executive Order declaring the federal government in violation of Article 4, Section 4, containing two key provisions:

First, crimes against Americans by illegal immigrants are evidence the Feds have abdicated their responsibilities under the Constitution; and

Second, the Order should de-delegate Article 4, Section 4 authorities from the federal government, and prohibit the transfer of foreign nationals into the State



Richard is co-host of *Carroll Confidential* on *Liberty Works Radio Network*, and can be heard live 5-6 PM every Tuesday and Thursday.

(Continued from page 1)

economics through the writings of Henry Hazlitt and Frederick Hayek. He first became active in politics during Barry Goldwater's failed 1964 presidential bid. His activism intensified during the Vietnam Era when he led local grass root efforts to resist Yale University's plans to conduct aid shipments to North Vietnam at a time when that nation was actively fighting U.S. forces in the south. Later in life he staged an unsuccessful write-in campaign for governor of Connecticut, then eventually lost the Libertarian Party's presidential nomination to Harry Brown in 1996.

In 1976 his beliefs in free market economics, limited government, and strict interpretation of the Constitution led him to write his first book The Biggest Con: How the Government is Fleecing You, a blistering indictment of the post New Deal expansion of government in the United States. The book achieved accolades in the mainstream conservative world, receiving a stellar review in the Wall Street Journal, among other mainstream publications.

But my father was most known for his staunch opposition to the Federal Income Tax, for which the Federal Government labeled him a "tax protester." But he had no objection to lawful, reasonable taxation. He was not an anarchist and believed that the state had an important, but limited role to play in market based economy. He opposed the Federal Government's illegal and unconstitutional enforcement and collection of the income tax. His first book on this topic (he authored six in total, self-published by Freedom Books): How Anyone Can Stop Paying Income Taxes, published in 1982, became a New York Times best seller. His last, The Federal Mafia: How the Government Illegally Imposes and Unlawfully collects Income Taxes, the first of three editions published in 1992, became the only non-fiction, and second and last book to be banned in America. The only other book being Fanny Hill: Memoirs of a Woman of Pleasure, banned for obscenity in 1821 and 1963.

His crusade to force the government to obey the law earned him three prison sentences, the final one being a fourteen-year sentence that he began serving ten years ago, at the age of 77. That sentence turned into a life sentence, as my father failed to survive until his planned 2017 release date. However in actuality the life sentence amounted to a death sentence. My father died from skin cancer that went undiagnosed and untreated while he was in federal custody. The skin cancer then led to a virulent outbreak of lung cancer that took his life just more than two months after his initial diagnosis.

The unnecessarily cruel twist in his final years occurred seven years ago when he reached his 80th birthday. At that point the government moved him from an extremely low security federal prison camp in New York State where he was within easy driving distance from family and friends, to a federal correctional institute, first in Indiana and then in Texas. This was done specially to give him access to better medical care. The trade

off was that my father was forced to live isolated from those who loved him. Given that visiting him required long flights, car rentals, and hotel stays, his visits were few and far between. Yet while at these supposed superior medical facilities, my father received virtually no medical care at all, not even for the cataracts that left him legally blind, until the skin cancer on his head had spread to just about every organ in his body.

At the time of his diagnosis in early August of this year, he was given four to six months to live. We tried to get him out of prison on compassionate release so that he could live out the final months of his life with his family, spending some precious moments with the grandchildren he had barely known. But he did not live long enough for the bureaucratic process to be completed. Two months after the process began, despite the combined help of a sitting Democratic U.S. congresswoman and a Republican U.S. senator, his petition was still sitting on someone's desk waiting for yet another signature, even though everyone at the prison actually wanted him released. Even as my father lay dying in intensive care, a phone call came in from a lawyer at the Bureau of Prisons in Washington asking the prison medical representatives for more proof of the serious nature of my father's condition.

As the cancer consumed him his voice changed, and the prison phone system no longer recognized it, so he could not even talk with family members on the phone during his final month of life. When his condition deteriorated to the point where he needed to be hospitalized, government employees blindly following orders kept him shackled to his bed. This despite the fact that escape was impossible for an 87 year old terminally ill, legally blind patient who could barely breathe, let alone walk.

Whether or not you agree with my father's views on the Federal Income Tax, or the manner by which it is collected, it's hard to condone the way he was treated by our government. He held his convictions so sincerely and so passionately that he continued to espouse them until his dying breath. Like William Wallace in the final scene of *Braveheart*, an oppressive government may have succeeded in killing him, but they did not break his spirit. And that spirit will live on in his books, his videos, and in his children and grandchildren. Hopefully his legacy will one day help restore the lost freedoms he died trying to protect, finally allowing him to rest in peace.



Peter, Irwin's spirit also lives on in the breast of every Patriot who knew and loved him. He was – and is – the epitome of the Spirit of 1776. Rest in Peace, my dear Brother, until we meet again soon.

—John Baptist Kotmair, Jr.