

**ADIRONDACK PROPERTY RIGHTS ASSULTED MORE SO  
THAN THE REST OF NEW YORK STATE  
3/16/99**

As I grow older I find I have a new-found interest in politics. There are several reasons for this, but most compelling is my eight grandchildren.

All Americans can agree on one thing: the future welfare of our children is of paramount importance to all of us. Politicians on both sides of the aisle realize this and preface every utterance with “our children” and summarize it the same way. That said, they then sally forth and by their actions and personal conduct, prove just how disingenuous they really are.

I never cease to be amazed at how people can view the same subject or topic in such divergent ways. The Constitution of the United States of America provides a good example. Under the Bill of Rights, the first 10 amendments appear to be clear and succinct. One would wonder how there could be so many ongoing debates about the interpretation of the same.

There is, of course, an explanation for not accepting them in a literal sense. It is where one would like to circumvent their obvious intent.

Who would want or need to alter the original intent of the document that is the envy of free people the world over? Those who would take away the rights guaranteed by the Bill and transfer them to a “Big Brother” type autocratic government. Attempts to accomplish that goal have continued uninterrupted since their inception.

How is this possible when they appear to be so clear and concise? There are several ways – some subtle and some outright blatantly in defiance of the Constitution. They remind me of legendary lumberman C. J. Strife’s analogy of his logging crew’s status. One coming, one working, and one going. One transgression is coming, one is in effect and one is being rectified.

Basically those rights are usurped not by individuals, but by government – local, state and federal. There is generally one reason for this. They want or feel they need something someone else has and to appropriate it as cheaply as possible. They are social engineers who want to alter your lifestyle, mind set, or expand their powers or resources. The cheapest way to effect the encroachment is by enacting regulations or acts that directly or indirectly accomplish this purpose.

Judges, who by writing law instead of acting and ruling on the law as prescribed, are the worst transgressors. If the stakes are high enough and individual, group, or company resources are able to compete with limitless governmental coffers, the transgression may be reversed. Before one tries they should heed the old cliché; “You cannot fight city hall.” Untold abuses stand in defiance of the Constitution simply because they do not meet the above criteria.

A graphic illustration of this was presented at a law enforcement training seminar when I was working as a forest ranger for New York State. A state supreme court judge from Darien, CT, cited a case that he had judged contrary to the constitution. When questioned as to the possibility of it being overturned by an appeal, he replied, “It’s a long way from my court in Darien to the U.S. Supreme Court.”

The articles of the Bill of Rights are constantly being probed and tested for the reasons stated above. Articles II, IV, and V receive the most scrutiny, with X perhaps the most ambiguous.

Article V directly affects us here in the Adirondacks more than many of our neighbors in the rest of New York. The last statement reads: “nor shall private property be taken for public use without just compensation.”

James Kilpatrick points out in a recent article that “Property rights are the oldest of all civil rights.” Based on that premise, a great many citizens here in the Adirondacks and across the nation are being denied our oldest of civil rights