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## THIS LAND WAS YOUR LAND Eminent domania! Another Supreme home scoped for confiscation

Posted: July 29, 2005  
8:30 p.m. Eastern

By Joe Kovacs  
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Call it eminent  
domania.

Public outrage  
over the recent  
Supreme Court  
ruling allowing  
governments  
to seize private  
property and



Justice Stephen Breyer

give it to another private party has  
spread to a second justice whose  
home is now targeted for  
confiscation.

Justice Stephen Breyer has joined  
his high-court colleague David  
Souter in feeling the wrath of the  
public, specifically the Libertarian  
Party of New Hampshire, which  
wants the city of Plainfield, N.H.,



to seize Breyer's 167-acre vacation retreat by eminent domain.

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In its place, Libertarians hope to see a "Constitution Park" featuring monuments celebrating the U.S. and New Hampshire constitutions.

"The point is: What goes around, comes around," party spokesman Mike Lorrey told the Concord Monitor. "This is a way of saying, 'You're going to be held to your own standard.'"

Lorrey told the paper that Edward Naile, president of the [Coalition of New Hampshire Taxpayers](#), has already recruited some town residents to seek signatures for the petition regarding Breyer's land.

"We just started it up the other day," Lorrey said. "We're just getting going."

This latest attempt to put the justices' own property in the



crosshairs  
follows the  
effort by  
Californian  
Logan  
Darrow  
Clements,



New Hampshire home of  
Justice David Souter

who wants  
the public to use eminent domain  
powers to snatch the home of  
Justice Souter in Weare, N.H., in  
order to create the "Lost Liberty  
Hotel," a kind of museum  
commemorating the lost right to  
private property in America.

That effort recently hit a roadblock  
when town selectmen decided  
against moving ahead with  
Clements' plan.

As WorldNetDaily reported,  
Clements is now targeting the  
selectmen themselves to be ousted  
from office.

Clements wrote to the board,  
explaining he needed to find out if  
members already opposed the  
proposal so he would know  
whether it was worth the money  
and effort to produce a formal  
presentation.

Selectman Joseph Fiala replied,  
saying in conclusion, "While I  
understand your frustration with  
the offending decision of the Court,  
I hope you will reconsider your  
position and take one I'm sure you

are more comfortable with – that is to defend the property rights of all citizens, whether we agree with them or not. Peace, Joe Fiala, Weare Selectman."

But Clements contends Fiala doesn't understand that in taking that position, he is giving Souter special rights.



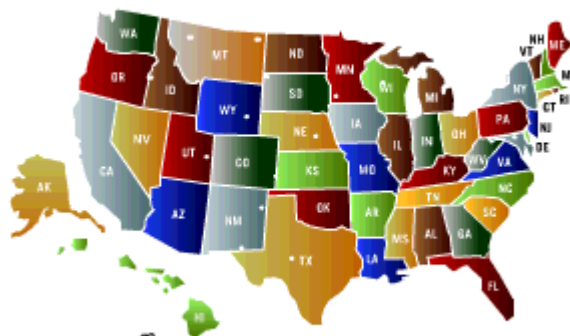
Logan Darrow Clements

The Los Angeles entrepreneur is encouraging people to write to the selectman board members "and explain that giving Mr. Souter a special exemption from his own ruling is not defending property rights, as they are trying to assert."

"Equal justice under the law means we all are treated equally," he said.

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Clements said he's asking the residents of Weare to continue with a ballot-initiative drive to circumvent the board and to investigate whether local laws allow them to remove the entire

board of selectmen from office.

"America now needs the assistance of the residents of Weare so that the torch of liberty can enlighten one who has so soundly turned his back on all those who died to keep it lit," Clements says on his [website](#).

The town of Weare has been inundated with calls in support of the proposal since [WND first publicized the story](#) of how Clements plans to turn eminent domain against one of its champions.

Clements says he's received more than 5,000 e-mails and over 400 phone calls.

The U.S. Supreme Court ruled 5-4 last month that local towns and cities can seize homes and private businesses through eminent domain and turn the properties over to private developers for no other reason than the fact that it would result in higher tax revenues for the municipality.

A few days after the ruling, Clements faxed a request to Chip Meany, the code enforcement officer of Weare, seeking to start the application process to build a hotel on 34 Cilley Hill Road, the present location of Souther's home.

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The Kelo v. City of New London decision allows the New London, Conn., government to seize the homes and businesses of residents to facilitate the building of an office complex that would provide economic benefits to the area and more tax revenue to the city.

Though the practice of eminent domain is provided for in the Fifth Amendment of the Constitution, the case is significant because the seizure is for private development and not for "public use," such as a highway or bridge. The decision has been roundly criticized by property-rights activists and limited-government commentators.

Previous stories:

[Souter-home campaign targets pols](#)

[Movement builds to seize Souter home](#)

[Souter suitor wants a real hotel company](#)

[Supreme Court justice faces boot](#)

from home?

Property battle heads to states

High court's property decision stirs  
anger

Court rules cities can seize homes

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*Joe Kovacs is executive news editor  
for WorldNetDaily.com.*

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