

IN CONGRESS, July 4, 1776

The unanimous Declaration of the thirteen united States of America

“When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. --That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence...

A STUDY GUIDE

THE UNIFORM COMMERCIAL CODE AND OTHER THINGS RELATED...

FOR FREEDOM IN AMERICA TODAY!

People who stand on their Rights harm no one.

People who stand for nothing will fall for anything.

indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. --Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor

56 signatures on the Declaration appear...

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entertainment, enlightenment and enrichment
of others so being

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This book is constructed so that it may be printed using a printer with a two side print feature.

“Greetings and how are you doing today?”

Your response...

“I don’t know anything about you – please tell me a bit about who you are, who do you think you are and how does the government view you...”

Your response...

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

As some may suspect, defining one's self is may not be as easy as first thought. True, some of the first things to come to mind might include race, gender, ethnicity, etc. Clear thinking about who you are – helps establish just who you are - in the minds of people you meet and deal with throughout your time on this planet. As you go through time (age) you find that you change, your thinking changes and people relate to you differently. How do you respond to persons with presumed authority over you? How do you respond when the government knocks on your door? The visit may be as simple as a traffic citation, a property tax notice or perhaps a bit more complex like the I.R.S. telling you that you owe money. Perhaps it might be a squad of darkly clothed, armed commandos in the night, or perhaps you may get a summons to court. Who knows as the government today moves in many and variously different ways. How will you respond should “they” decide to move on you? What can you do? Get an attorney? Run home to mom? Or learn how to stand for yourself!

Standing for one's self is what this book is all about. In today's world virtually everything runs in commerce! It is not your father's world! It is not the idealistic world you were possibly taught to believe exists. I today's world all is run in commerce. In today's world you are either a creditor or a debtor. Which would you rather be?

This book doesn't purport to have all of the answers – however, it is an excellent beginning point. The author has expended many dollars and hours of time collecting, researching, verifying and comprehending this information. This book contains stuff “they” don't want you to know about! This book will shorten your learning curve dramatically! And yet it is just a beginning point. Most likely all of your life you have been trained to live like a debtor, act like a debtor, just be a debtor. Always just being a slave to “whomever.” Never quite being able to get ahead. Are you happy living this way? As you read this material flip back and re-read the cover – again and again. The material presented here within will, when properly applied, help you to move yourself to the other side of the ledger sheet – debtor no more-creditor forevermore!

Here is the order of authority for you to begin with:

Creator / God / Sovereign created►
You (man/ creditor) created►
states/republics created►
federal government (corporation) created►
corporations (STATE OF _____, COUNTY OF _____, CITY OF _____,
IBM,; EXXON, ENRON, GE, etc.;
Fallen man / 14th Amendment, U.S. Citizen / strawman / debtor)

Where in the above do you fit in? What do you desire to be?

This book is about regaining your sovereignty – enjoy!

Attitude

It is said that evil triumphs when good people choose to do nothing.

It can also be said that good people irritate bad people because the bad people know better.

What evil lurks in the mind of a bureaucrat? Who knows and who wants to find out?

How many people does it take to change a system? Systems are much like people, they don't like to change. Questions then become: *"How was it done before now?"* and *"If this continues where will I or we be?"*

The author realizes that the information contain in this writing may have an affect on your perception of things. Avoid developing and/or having a 'chip-on-your-shoulder.' Be wise as a serpent and harmless as a dove. There are many people in jail and prisons today because of their attitude - primarily expressed through their mouth. You know what I am talking about. Consider that you have two eyes, two ears and one mouth. The mouth has two ends – which do you speak through?

Regarding the police, government / bureaucrats, the I.R.S., taxation and the like – always remember that it is your right and duty to avoid situations not to your benefit – where people get in trouble is when they evade such things.

Staying 'below the radar' is good tact. Not waving a large red flag helps.

Ever notice how some people 'stand out' in a crowd?

Watch a group of people and 'notice' the individual players. You don't have to go far, just visit your local mall. After a while you'll notice and pick the players who [seem to] want to be 'picked' up for something (a date, shoplifting, vagrancy, whatever, etc.) and those who haven't the time for such matters. Notice the people who you wouldn't want to 'touch with a ten-foot pole.' Why? Perhaps it is because you can tell by

their 'attitude' / demeanor that they have 'got themselves together', they walk with authority – like they 'own the place.' In the jungle it is the timid, shy and weak that get attacked first – the one who 'shows' fear. Good advise for living: Always be respectful – never be fearful. Meet people on a 'level playing field' and 'hold your ground.' What goes around eventually comes [back] around. Do you go along to get along? Society, and its players, is an interesting study – how do you fit in?

Above all consider this: Question authority, question jurisdiction! Exploratory questions like: *"What gives you the right to..."*, *"What grants you the authority to ..."*; *"From where does your authority come?"* Remember they cannot move against you on their own volition and for there not to be remedy means that whatever they are attempting to foist on you is an edict, a diktat from or by a dictator. You have right and duty to resist an unlawful order.

Who is using what against whom for what and how are they using it?

For those who may feel that this doesn't pertain to them or 'it' won't happen to me – read this: As I write this there appears a story, in local newspaper, about a local county bureaucrat who was publicly criminally charged by the local county attorney and, with great fanfare, arrested by law officers (U.S. Marshals) in his office, because of a complaint filed by a State agency. (I remember seeing the thing on the local television news program, and as we all know, 'television news is truthful, accurate and complete'. And, of course, the local newspaper went with the story also.) The news media had a 'field day' with this person and I guess there were people who wanted to hang'em and would probably done so given a chance. Nine months latter charges are dropped because, as it turns out, he didn't do anything he wasn't supposed to do. The County attorney, in newspaper story, "...characterized the problem as communication gap between the upper and lower levels of the [particular] [state] commission..." which helped to file charges against the person.

Prelude

I'm sure you have heard that if one were to put a frog into a pot of boiling water the frog would do its best to jump out of it, but that if you put that same frog into warm water and gradually heat the water to boiling the frog would just sit there, as the temperature rises, until it dies. Well folks, government has us 'in-the-pot' and is 'gradually heating' the water.

Politicians and bureaucrats tend to be master and willful manipulators; collectively, they regularly lie, cheat and steal – why, to accomplish the ultimate goal of getting and holding on to POWER.

Politicians and bureaucrats are masters of influencing people's perceptions of the costs and benefits of governmental activities. Political manipulation and deception has led to such things as Social Security, income tax withholding, federal control of public education and health care, and, in the name of “war on drugs” and “war on terrorism”, the systematic surveillance and data collection of and about ordinary Americans by the federal government. It is sad because some of these people were quite good folks, possibly just like you or me, and then they got a job in a system that is grown corrupt. They found out they couldn't change the system, as they thought they might, so they just get sucked up into being part of the system, or they leave.

For the most part, over time, we have been seduced into surrendering our autonomy and our unalienable rights by an ever-growing, now monster-of-a-thing, federal government and some day you may be “presented with the bill.” What to do?

First: It's basically impossible for you to know of, or much about, all the laws, rules, etc., - much less abide by them. As an average Citizen we tend to defer to those who do know, or claim to know. This author thinks -- bad choice.

And, as more citizens come to rely upon government programs, the less likely they are to agitate for reform, even when such reform is needed. Social security, the federal government's

growing involvement in health care, education, taxation and data collection – notice these programs fail to deliver the social benefits that their proponents promise – while all the time robbing Americans.

Notice too how things just seem to keep on getting bigger. When was the last time you heard of a governmental entity or budget getting smaller? Look at one of the largest enterprises on the planet – the (so-called) Justice system. This hungry monster now has an insatiable appetite. One in every 32 adults in the United States was either behind bars or on probation by the end of the year 2001. The Government report that delivers this information goes on to say that a record 6.6 million people are in the nation's correctional system. What is going on here? The system is huge and constantly hungry. There are so many ancillary agencies and players (lawyers, judges, etc.) that need feeding with human carnage (i.e. accused, defendants, inmates, parolees and the like.)

“You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe.”

John Adams, one of the Founding Fathers, and second President of the United States.

“None are more hopelessly enslaved than those who falsely believe they are free.”

Goethe

“All Truth passes through three stages, first, it is ridiculed, second, it is violently opposed, and third, it is accepted as self-evident.”

Arthur Schopenhauer

“I didn't know I was a slave until I found out I couldn't do the things I wanted.”

Frederick Douglass

“In the beginning of a change, the patriot is a scarce man, brave hated and scorned. When his cause succeeds however, the timid join him, for then it costs nothing to be a patriot.”

Mark Twain

Chapter 1

Many of us are amazed to learn that there are three (3) different and distinct definitions of the phrase “United States.” (Hooven & Allison Co. vs. Evatt, 65 S.Ct. 870, 880, 324 U.S. 652, 89 Led. 1252) The term “united states” is a metaphor. In part, these two words can describe two different areas of, or on, the north American continent.

First, the words “United States” are usually used to describe the several states (political divisions of land) that comprise the compact union of states and home of the “federal government” that came into being by way of the activities of many and various people in the mid to late 1700’s. “*We the People...*” simply began the original constitution.

The document that is titled **The Constitution of the United States** was signed in to being, in convention, by the unanimous consent of twelve of the thirteen original [colonies that became] states present on Monday September 17, 1787. George Washington was president and deputy from Virginia. He becomes the first President of the United States on April 30, 1789.

The Preamble of the [then] newly minted Constitution reads: “*WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*” It is important to remember this preamble, as we will mention it again in this writing. (Notice the words “of” and “for.”)

There have been a series of amendments attached to the original Constitution over time, the first ten are collectively called the Bill of Rights brought on in 1791 as a way to prevent misconstruction or abuse of its [constitution’s] power and as extending the ground of public confidence in the [new] government.

It is beyond the scope of this writing to discuss either the Constitution or its amendments in

depth. Dear reader you are well advised to seek out a personal copy for your library and become familiar with it. It is a very important document in your life.

As we can see thus far, these united states (states united, states joined, states getting together); the union of several states made up the original united States and since then several more have come on to where now we have fifty (50.) Forty-eight of which are generally referred to as the continental united States. (We could, and perhaps better say the states united of America. Let’s not forget Alaska and Hawaii.)

Known as the Republic, its flag is “Old Glory” as defined in Title 4 of the United States Code, Chapter 1, Section 1:

The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field. Section 2: On the admission of a new State into the Union one star shall be added to the union of the flag.



The colors of the flag are symbolic: red symbolizes Hardiness and Valor; White symbolizes Purity and Innocence and blue represents Vigilance, Perseverance and Justice. This is the flag that preserves the Constitution, the flag of peace, the flag that songs are written about, the one we proudly hale, the one we show to the world, the one we fly on Independence Day and other holidays, and the one we salute! Its the one many have suffered and died for. And now it is the one we stand united with! A Title 4 flag represents you and I! As you can see in Title 4 any other flag is not the flag of the united States of America.

Notice the flag behind the Speaker of the House of Representatives in Washington, D.C. Do a bit of research and observing in your city – look at the flag flying in front of your local courthouse and then go inside and notice the flag in any courtroom. Do you see a gold fringe on the one in the courtroom? A gold-fringed flag may look pretty but it is a desecration of and not a Title 4 flag never the less. Do the flags with a gold fringe also have a gold tassel? The gold tassel signifies admiralty (jurisdiction.) Is there a gold eagle, a gold spire or anything else on top of the holding staff? The gold eagle represents the President and should only be flown in the presence of. The gold spire represents a Court-martial (military court) and should only be flown in the presence of such. Anything else? I was always taught that nothing, except the heaven (God/Creator), is to be atop the Flag. Anything else desecrates the matter. Feel like being desecrated today?

Also notice the people who wear a flag symbol on their uniform. It is a pure or is it a desecrated version of the flag of the united States of America. If it is, in fact, a desecrated version – just who do these people represent?

Notice your own state’s flag. Anything other than the pure version (without gold adornment) is not your state’s flag – it represents something else. Don’t be mislead – “they” know what “they” are doing. If you want to march to “their” flag it is your right and prerogative. Just do so knowingly and willingly.

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31 USC

TITLE 31 - MONEY AND FINANCE

SUBTITLE I - GENERAL

CHAPTER 1 - DEFINITIONS

Sec. 103. United States

In this title, "United States", when used in a geographic sense, means the States of the United States and the District of Columbia.

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Now lets look at the other United States: Article 1, Section 8, clause 17 gives Congress authority to exercise exclusive legislation in all cases over a ten square mile area known as the District of Columbia (Washington, D.C.); and to purchase, with the consent of any particular state’s legislature, land within a state for use by the federal government (for forts, magazines, arsenal, dock yards, and other needful buildings.) A corporate United States in the same sense as Exxon, Mobile, Enron, etc.

Over time the federal government bought or otherwise acquired such areas, termed possessions, such as Guam, Puerto Rico, the Virgin Islands, just to name some. These owned land areas are the only areas that comprise the corporate/federal UNITED STATES.

Dear reader, you may verify this – see Title 26 United States Code, which is the Internal Revenue Code, Section 3306 (j)(2) “*United States. – The term ‘United States’ when used in the geographical sense includes the District of Columbia, the Commonwealth of Puerto Rice, and the Virgin Islands.*”

An aside note: it is important to notice that in the United States Code (USC) terms are defined as to provide meaning for the particular subject matter of any particular code. The USC is available in law libraries, may be available in your local library, and is readily available on the Internet at (<http://uscode.house.gov/usc.htm>).

Currently there are 50 Titles. The Code spells out the workings of the government. Each title covers a specific topic and some are must-reads for you if you are serious about things and workings of the government. We will reference various Titles in this writing.

Should there be any doubt regarding the definition of the word “includes”, as it is used here, the united States supreme Court, in the case of Montello Salt Co. vs. State of Utah clearly set forth that when the word “includes” is used by the Internal Revenue Service, it is definitely restrictive; and that anybody or anything not named is to be excluded. As used above, the word “include” does not refer to any

geographical areas that are not mentioned in 26 USC, Section 3306(j)(2). (Dear reader, the above use of caps and no caps in court name is correct.)

And if you think “they” aren’t aware of this may I offer you this:

Title 26 USC (INTERNAL REVENUE CODE)
Sec. 7701. *Definitions*

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof -

(1) Person individual, a trust, estate, partnership, association, company or corporation.

(9) United States

The term "United States" when used in a geographical sense includes only the States and the District of Columbia.

(10) State

The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.

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Title 28 USC (JUDICIARY AND JUDICIAL PROCEDURE)

Sec. 1746 Unsworn declarations under penalty of perjury

Wherever, under any law of the United States or under any rule, regulation, order, or requirement made pursuant to law, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same (other than a deposition, or an oath of office, or an oath required to be taken before a specified official other than a notary public), such matter may, with like force and effect, be supported, evidenced, established, or proved by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed by him, as true under penalty of perjury, and dated, in substantially the following form:

(1) If executed *without* the United States: "*I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.* Executed on (date). (Signature)".

(2) If executed *within* the United States, its territories, possessions, or commonwealths: "*I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.* Executed on (date). (Signature)".

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The reader may notice that this writing is becoming heavy with reference to codes and titles and things that the average person may not be familiar with. The writer is not attempting to bore, or otherwise burden, the reader with unnecessary ink. Whenever dealing with items of law and persons who use them one needs to be precise and have knowledge of precedence and use. In other words: if you feel that you may use the stuff of this writing you’d better have a working knowledge of what it is that you are working with, be prepared to make claims, meet challenges, and be able to stand-your-ground in the “face of authority.” Without a solid foundation any structure is bound to fall.

Didn’t I mention three (3) different and distinct definitions of the phrase United States?

Sure did. And the third being: “...*either as the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations.*” Living in the world today one is constantly exposed to the term “United States” and we and “they” presume and assume [naturally] reference is being made to the united states of [north] America – have you heard of the United States of Mexico? If you lived there you would. ¡Si! Have you heard about the European union? Or is it the European Union (EU)?

It’s time for you to review your basic English grammar on capitalization, nouns, and pronouns. Words have meaning and how words are used have meaning also. In things of, and relating to, law and government words, phrases and grammar matter a lot! And may not correspond with the particular way you talk and think.

Chapter 2

Now let's discuss 'citizenship'. No doubt in school you learned that slavery was something practiced around the world and right here in America for a time. Most of the Founding Fathers held or otherwise owned [black] slaves. The issue of slavery in America was very divisive and in the year 1861 brought about the American Civil War. Southern States wanted to retain slavery and the Northern States did not. A self-taught lawyer, Abraham Lincoln, from Illinois, was nominated for president by the (then very young) Republican Party in 1860 on a moderate platform of restricting slavery. As a result of his winning the election South Carolina seceded from the Union on December 20, 1860. With about 40% of the vote, Mr. Lincoln became the 16th President on March 4, 1861.

(To be fair, slavery wasn't the only issue that divided the states, it was the very significant.)

A few days earlier, eighty-five years after the Independence of the United States, on March 27, 1861, seven southern States of America walked out of the Second Session of the Thirty-Sixth Congress. In doing so, the Constitutional due process quorum necessary for Congress to vote was lost and Congress was adjourned sine die. (Latin for 'without day') Under rules of order, prior to adjourning, members of Congress vote on a specific day as when they will reconvene, i.e. get back together again. Without the seven southern states' votes there was no quorum so the remaining States could not vote and hence the Congress dissolved. The United States was without a Congress. (One may chuckle and think that may be a desirable thing – however...)

Union Fort Sumter, in South Carolina, was attacked by Confederate forces on April 12, thus began the American Civil War.

As President, Mr. Lincoln issued an Executive Order in April 1861 that called the Congress back into session. However, he did not have lawful authority or lawful due process of the Constitution to do so. Solely in his capacity as Commander-in-Chief of the United States

military, Mr. Lincoln called the Congress into session under authority of Martial Law. Ever since April of 1861 'Congress' has not met based on lawful due process. Ever since Mr. Lincoln's Executive Order as Commander-in-Chief of the military we have had a 'Congress' that is a legal fiction. Ever since April 1861 we have been not under rule of law but under rule of rulership by force, or conquest, originating from and existing in military, martial law jurisdiction. (Bet you didn't learn that in school.)

(Noted historian and writer Shelby Foote says of Mr. Lincoln: "*Almost everything he did was for effect.*" Ken Burns, *The Civil War*, 1989)

Mr. Lincoln is responsible for several other things as well. I'm sure you note him as freeing the slaves – story about that: Mr. Lincoln needed money to fight the Civil War. The country of France sided with the southern States and commenced to build a fleet of boats designed to break the blockade that Mr. Lincoln put in place to economically ruin the southern States.

(The American Civil War was not a pretty picture; in fact it was possibly the worst and most in-humane undertaking of war ever in the history of people on this planet. It was a time of new weaponry and old procedures. New ways of killing people and Officers using old and antiquated combat tactics and procedures. Brother killing brother – literally! When it began most thought that it would be over in a few months or less. Before those few months had past most knew it was going to take much longer and, because of the severe losses on both sides, the basic attitudes of all concerned changed for the worst.)

Mr. Lincoln needed all the help he could get. As it would happen, [the country of] Russia said it would come to the aid of Lincoln but one thing stood in the way – slavery. The Russians were against it. So, in order to get the much-needed aid from Russia, Mr. Lincoln issued his now famous Emancipation Proclamation. Once done, the Russians stepped in, stopped the French from building their blockade-breaking fleet and gave Mr. Lincoln much needed money to complete the war. (Later, in 1867, the geographical area

now known as Alaska was sold to the U.S. by Russia. Some say to repay the Russians for their aid to President Lincoln.)

With his Emancipation Proclamation, of January 1, 1863, Lincoln did free the [black] slaves by freeing them from the condition of slavery; it did nevertheless leave them in a condition of servitude. At the close of the Civil War the black man was the property of the United States Government and he/she was right less. A black [slave] of the time was told that if they wanted to leave this country they could do so at any time as they were [then] here voluntarily, however, for as long as they chose to stay in the United States they were in a condition of voluntary servitude. One can only guess as to how many had boat fare or even know where they might go. As a group, black slaves were not educated or taught much beyond the requirements of the work they were to perform, this writer doubts that they knew much, if anything, about the world outside of where they lived and worked. It was, as it is now, to the benefit of the masters/rulers for slaves not to know much. Times have not changed, as you will soon learn.

Lincoln was reelected in 1864, the South's General, Robert E. Lee surrendered on April 9, 1865 and on April 14, 1865 Mr. Lincoln was shot by actor John Wilkes Booth at Ford's Theater and died shortly thereafter.

Vice President Andrew Johnson succeeded to the Presidency upon Lincoln's death. Soon after, he proclaimed an amnesty to all Confederates (except certain leaders) if they would ratify a Thirteenth Amendment abolishing slavery. Not happy with things like freed slaves, several southern States added anti-Negro provisions to the proposed 13th Amendment (which didn't attach.) During the Johnson administration, the 13th Amendment was added to the Constitution in December of 1865.

Also during the Johnson administration, a fourteenth amendment was proposed and (supposedly) ratified in 1868.

(I use the word 'supposedly' as there is some debate as to whether or not the Fourteenth Amendment was

actually ratified Not the purpose of this writing to debate this issue.)

As one can see, the issue of slavery is one that has caused a lot of problems and turmoil over time.

The Fourteenth Amendment was written to secure to those under the incapacity of race, newly freed from their condition of slavery, a class of citizenship unknown in the Constitutional contract of 1787. (Remember all of the writers of the Constitution were white, wealthy, landholding, men and some were also slaveholders.) The first clause of the 14th Amendment defines the term 'citizen' as: *"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside."*

An interesting side note – before the, so-called, slavery amendments beginning in 1865 the last Amendment to mention the word "Citizen" is the 11th Amendment. In the 11th Amendment the word, used twice, is capitalized, as I believe the Founders wanted it to be – signifying Sovereign status. In the following amendments the word is not capitalized and Citizens, hence, were reduced to subjects. (One might argue that this was another way to retaliate against the South, as the Northerners didn't like the Southerner's aristocratic ways.)

In 1872 the supreme Court (Slaughter House Cases) determined that the 14th Amendment established (or 'created') a separate and distinct class of citizenship for those under the capacity of race; thus securing to the new class of citizen / subject the same privileges and immunities of the native-born individual who was born in one of the several continental sovereign states of the Union.

This same type of privileged citizenship has been since offered to persons, of all races and circumstances. The contractual terms of this citizenship require the individual to forfeit native-born rights in exchange for securities, privileges, protections, and liabilities granted by

the United States Government (remember District of Columbia.)

Now any individual person such as you can become subject to the jurisdiction of the corporate United States either by volunteering (i.e.; filing a IRS Form W-4 and/or 1040) or by accepting benefits and privileges granted by said corporate United States (Social Security, welfare, subsidies, etc.) Since so many people appear to have opted-in into the corporate United States it is presumed that you specifically have done so also. In law this is what is called a rebuttable presumption. Which means that unless you say otherwise it stands as truth. (Remember, subjects don't have rights – they may have privileges.)

What can you do about it should you feel that you are not a 14th Amendment citizen?

Consider learning more, and possibly constructing and filing a AFFIDAVIT: Certificate of Citizenship as ADMINISTRATIVE NOTICE stating in part that you are NOT a legal “person” born or naturalized in the federal “United States”, NOT subject to the exclusive jurisdiction of the legislative democracy of the federal “United States” (e.g., District of Columbia, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa) or any other territory, area or enclave “Within the United States”. (Remember the terms “United States” and “U.S.” are NOT to be construed or assumed under any circumstances to imply or include the sovereign “50 states” comprising the “united states of America”) You can also state your claim that you are NOT a born and naturalized 14th Amendment citizen of or in the District of Columbia (DC). That being said therefore, you must be an “alien” with respect to the federal “United States”.

It must be mentioned here that the I.R.S. doesn't believe a word just written and “they” want you to act otherwise.

The author is aware that the above is considered by some to be “mis-guided patriot dribble.” The author didn't just dream this stuff up – the reader is advised to check it out.

The author is reminded of the story told about a fellow named John Marshall. While John was cleaning something in a creek nearby where he was living at the time, he noticed something shinning in the water. Closer examination revealed that it was gold! John lived on the land that became known as Sutter's Creek in California, and in 1849 he started the largest ‘gold rush’ the world has ever known. A couple of years later, they found ol' John, facedown, in the same creek, penny-less. He hadn't staked (i.e., stated) his claim! I'm sure the reader can speculate as to what might have been had John ‘staked’ his claim. The point here is that until you stake (state) your claim you are no better than anyone else who hasn't and as far as “they” are concerned, you are just like everyone else!

(Individually and the Law – there is matter for discussion.)

"It is quite clear, then, that there is a citizenship of the United States, and a citizenship of a state, which are distinct from each other and which depend upon different characteristics or circumstances in the individual". *Slaughter-House Cases*, 83 U.S. (16 Wall.) 36; 21 L.Ed. 394 (1873)

"We have in our political system a government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, and each has citizens of its own..." *United States v. Cruikshank*, 92 U.S. 542 (1875)

"There is a difference between privileges and immunities belonging to the citizens of the United States as such, and those belonging to the citizens of each state as such". *Ruhrstrat v. People*, 57 N.E. 41 (1900)

"There are, then, under our republican form of government, two classes of citizens, one of the United States and one of the state". *Gardina v. Board of Registrars of Jefferson County*, 160 Ala. 155; 48 So. 788 (1909)

"The governments of the United States and of each state of the several states are distinct from one another. The rights of a citizen under one may be quite different from those which he has under the other". *Colgate v. Harvey*, 296 U.S. 404; 56 S.Ct. 252 (1935)

"...rights of national citizenship as distinct from the fundamental or natural rights inherent in state citizenship". *Madden v. Kentucky*, 309 U.S. 83: 84 L.Ed. 590 (1940)

"The persons declared to be citizens are, "All persons born or naturalized in the United States and subject to the jurisdiction thereof." The evident meaning of these last words is not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject..." *Elk v. Wilkins*, 112 US 94, 101, 102 (1884)

Elk v. Wilkins is a 14th Amendment case, the concept is true concerning all federal citizens. In other words, all federal citizens must be, by their very definition, a person who is "completely subject" to the jurisdiction of the federal government (such as a citizen of Washington DC). Virtually any legal concept stated by the courts concerning a 14th Amendment citizen is operative upon all federal citizens.

"The privileges and immunities clause of the 14th Amendment protects very few rights because it neither incorporates the Bill of Rights nor protects all rights of individual citizens. (See *Slaughter House* cases, 83 US (16 Wall.) 36, 21 L. Ed. 394 (1873)). Instead this provision protects only those rights peculiar to being a citizen of the federal government; it does not protect those rights which relate to state citizenship." *Jones v. Temmer*, 839 F. Supp. 1226

"...the first eight amendments have uniformly been held not to be protected from state action by the privilege and immunities clause [of the 14th Amendment]." *Hague v. CIO*, 307 US 496, 520

It should be noted that many of the rights not attributed to federal citizens in the cases above have since been granted to them either by Congress or by the courts. These early decisions simply clarify and solidify the reality that federal citizens are not the same "class of citizen" as state Citizens.

Like so many areas in which the corporate / federal government has tread, it has unbalanced

the equation. Where at one time there was no real problem with there being different classes of citizenship, with the ratification of the 14th Amendment, Congress went into overdrive with civil rights legislation. The result was a labyrinth of "rights" and protections for federal citizens. Because a state Citizen is a member of "*We the People*..." the people in whom the sovereignty of the states, and by association, the national / federal government resides, such a Citizen is left to protect his/her own rights, with no special process to help him accomplish that end. In short, he must defend his rights with all his will, energy, money, and passion in the courts for as long as it takes to reach a final outcome.

Conversely, the federal citizen need only lodge a complaint with the appropriate federal agency and the power of the federal government moves to punish the person who has allegedly violated that federal citizen's rights. Of course this is legally appropriate since a federal citizen is little more than a ward of the national government. Such second-class citizens must be cared for by the government as they are not the masters of their government, but mere servants to it, and it is the master's responsibility to care for his servants.

Notes: _____

Chapter 4

New terms: contract, rebuttable presumption and alien.

Now that you have read this far you have had presented to you what may be new concepts, new ideas. Should you think the author to be in error you can either toss this document and go on about living your life as you have or you can verify the presented information and work your way to freedom. As this is a free-will universe and when we reach the age of consent (generally age 21) we are presumed to be acting on our own volition whereby what we do is what we want to do.

Let's look at the word 'contract.' Briefly stated, a contract is an agreement between two or more parties. A 'party' may be an individual natural person such as yourself, or a (corporate) person such as a business or government. A contract represents the most basic form of law on the planet. A private contract supersedes any other thing. It has been so since humankind began on this planet. Picture two cave dwellers. One agrees to hit the dinosaur on the head with a rock and the other agrees to stick it with a large stick – the object being dinner. One hits said dinosaur with a rock and the other runs away. The dinosaur is mad, eats the one who hit it with the rock and walks away. The family of the dinosaur's dinner sues the one who ran for breach of contract because of the damage suffered. And thus began 'law.' Law of Contract. *"The contract makes the law."* 22 Wend. 215, 233.

Let's look at 'rebuttable presumption.' A rebuttable presumption is an idea or thought that means that unless it is said otherwise it (the presumption) stands as truth. Somewhere during your life someone may have said things about you that you either accepted or denied. You're: ugly, stupid, dumb, smart, intelligent, beautiful, whatever; opinions for the most part. For whatever reasons you either accepted them (you allowed them to stand as truth) or you denied them, rejected them, rebutted them. Had you been trained to be skeptical and to analyze things as to how they may be applicable to you – you

might have asked the person offering said opinion to define what it was that they were offering you. Then you may or may not have accepted it and gone on from there. (There's that free-will concept again.)

Let's look at the word 'alien.' The writer is most willing to bet that there aren't many kids who don't know what an alien is. The X-Files are filled with mentions of aliens. Those pesky beings from outer space that come here to play hide and seek with us and to probe our most private regions. And there are those [aliens, from this planet] folks who come here from various other [foreign] parts of the world because they want a better shot at life than they were getting from hence they came. Have you ever considered yourself to be an alien?

Volume 20 of Corpus Juris Secundum at 1758: "The United States Government is a foreign corporation with respect to a state." –NY vs. re Merriam 36N.E. 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L.Ed. 287.

Remember what said above: *"We the people... do ordain and establish this Constitution for the United States of America..."* (or as may be read another way: *do ordain and establish this Constitution for states United on the north American continent*.) And said Constitution's Article 1, Section 8, clause 17 giving Congress authority to exercise exclusive legislation over areas that make up the corporate / federal United States.

Notes: _____

Chapter 5

Are we having fun yet?

Almost from the moment the U.S. Constitution was written, the United States government has “overstepped” the authority it was given by the Founding Fathers of this country. Employees of this corporation (politicians and bureaucrats) have usurped power and authorities not designated to them and have intentionally deceived the Nationals of this country into believing that they (the private people) are citizen/subjects and must submit to its/their jurisdiction.

Originally, all native-born people of this country were known as Nationals, but with the advent of the Fourteenth Amendment, the federal United States gave these people the “opportunity” to become GOVERNMENT Citizens. The federal United States GOVERNMENT conferred Titles of Nobility, on these NEW citizens, by granting certain benefits, privileges, and securities to any person who accepted this new citizenship.

Some say it is very important that we, as individual private natural persons, NEVER REFER TO OURSELVES AS “CITIZENS”. The government, to indicate a person who owes allegiance to the federal government and is therefore subject to its jurisdiction uses the term “citizen”. As you will find out later in this writing, many words are used and construed by the federal government to denote federal citizenship. To admit to citizenship, one SUBJECTS ONE’S SELF to federal jurisdiction.

Although the Fourteenth Amendment is often referred to as the Amendment “that freed the slaves”, it instead ENSLAVED the free. Because the Constitution did not allow for a citizenship comprised of people OUTSIDE of the white race, it would appear that the purpose of this amendment was to give the Negro race the same rights and privileges as the native-born nationals. In reality the purpose of this amendment was to destroy the free native-born people by creating corporations; and by giving

these corporate, artificial entities the right to own property.

Through the years we have not been aware of the real motive behind the Fourteenth Amendment and thus have (some say FALSELY) been lead, or allowed, to believe that we are ALL Fourteenth Amendment citizens: i.e. persons subject to the jurisdiction of the federal United States owing an allegiance to same through things like, and specifically, the federal income tax.

The status of the American people (whether or not they are SUBJECT to the jurisdiction of the federal United States) is critically important to both the State and Federal court system today. These courts want to construe each and every one of us as a federal (Fourteenth Amendment Citizen) in order to obtain Jurisdiction.

The main function of these government courts is to keep people on “their” (the government’s) straight and narrow path and collect revenue in order to pay the national debt. They feel that the only way that this debt can be “paid” is through the taxing of the federal citizenry.

When gold and silver was taken from the hands of the American people, by Executive Order in 1933, with complete disregard of the laws and limitations of the u.S. Constitution, it “became necessary” for the corporate United States to “create” a new system of law. They threw out common Law and Equity Law and switched it for Admiralty/Maritime Law (Negotiable Law) (now called Statutory Jurisdiction.)

Today, the courts we have are not courts of law; they are courts of Commercial Contract.

The Constitution, in Article I, Section 10 gives us the unlimited right to contract, as long as we do not infringe on the life, liberty or property of someone else. **Contracts are enforceable.** They know that! It is felt by some that there exists some base contract with you (other than the Constitution) that they feel that they can act upon. Some say it is the Application for a Social Security Card (Form SS-5), some say it is the

bank signature card, and some say it is the I.R.S.'s 1040 and W-4 forms.

Is this information is being held from us ***in order to trick us into acquiescing to authority the government doesn't have?***

Our problem today is that most of us are unaware that the courts, and “our” government are operating on a “presumptuous” contract. An assumption is made that you and I have accepted government-granted benefits and privileges that make us liable to the federal government of the United States. Once this assumption is made and we fail to dispute and deny said assumption, we cause a presumption of contract.

In other words: if we don't deny it, it must be true.

IF WE DO, IN FACT, CONTRACT WITH GOVERNMENT, WE ARE AND THEY ARE COMPELLED TO PERFORM ACCORDING TO THE TERMS OF THE CONTRACT.

The Uniform Commercial Code is the “law” that the court is applying today in order to “gain” jurisdiction of all citizens, regardless of their status. While Common Law is based on substance, the Uniform Commercial Code is based on bankruptcy. (See THE AMERICAN BAR ASSOCIATION, (unbound, June, 1938) “*What has happened to Jurisprudence*” by Allen Fleming) (also see Appendix B)

From research, we are now aware that the U.S. courts do not have jurisdiction over a natural person (a living NATIONAL of one of the several states of the Union.) But, because of our ignorance (lack of information), we have been misled to believe that we have lawful courts and because of this misunderstanding, we are often quick to agree when a judge says we are liable or required to perform in a specific way.

The Uniform Commercial Code is “colorable” Law. It is not law, but gives the appearance of law; and it is upheld by the courts today as LAW. In this “colorable” situation the court can do as it wishes. To be on a jury in a U.S. courtroom, an individual must be a “colorable”

person, (a 14th Amendment privileged person); and as such, he/she is not competent/knowledgeable to judge the law. Because these jurors are OUTSIDE of the common law by their very status, they are only allowed to judge the facts, and not the law.

The only reason that an individual is even allowed to talk about the Constitution in court is because the judges want to keep up a “smoke screen” to keep us in the dark regarding what is REALLY happening in court. Because our public servants, who are employed by the federal government have gone beyond the bounds of their authority, it became necessary to put up this “smoke screen” to mislead us into believing we have Constitutional Rights.

When you demand your Constitutional Rights in court, the judge will tell you that “...*you will get all of the Rights you deserve*”, and then he will go on to say that “*the Right you are demanding is NOT one of those Rights*”; but he won't tell you what Rights YOU DESERVE. The “Rights” he is referring to are the “Rights” of the business world (the Uniform Commercial Code); and, they are not Constitutional at all.

Here is where we have been making a mistake - we are expecting to get common Law in a court of Colorable Law. It's time we study the Uniform Commercial Code to find out what our remedies are in this “colorable law.” The Uniform Commercial Code is based on negotiable instruments; a medium of exchange (i.e. paper money, checks, credit, etc.) that is not based on real substance like gold or silver. Promulgated in 1952, and adopted by and into law by all of the States by 1964, divided into nine sections, the U.C.C. contains all commercial methods of exchange.

When we, and our parents, failed to object to this new system, we silently “agreed” to exchange our labor (real substance) for valueless money. By failing to object, we caused the PRESUMPTION that we are persons (artificially created) who agree to become SUBJECT to ALL of the laws of the Uniform Commercial Code.

Thanks to the research done by many [patriots] in this country, we have recently learned that there is REMEDY to be found in this colorable law. Go to a law library or on the Internet (<http://www.law.cornell.edu/ucc/ucc.table.html>) and check the following Sections of the Uniform Commercial Code: 1-207, 1-103, 3-305.2(c), 3-601. These sections, and possibly others that I am not yet aware of, are where you will find remedy. These are the sections we are going to have to use to assert our common law Rights.

UCC Section 1-207

PERFORMANCE OR ACCEPTANCE UNDER RESERVATION OF RIGHTS

*A party who with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words as "**without prejudice**", "**under protest**" or the like are sufficient.*

This means simply that when you find yourself, because of incapacity, in a situation where it appears that you are accepting a benefit or privilege from government, when in fact you are not; it is necessary that you first explicitly state your reservation of rights, or protest. This is necessary in order that it is understood that you are not subjecting yourself to a specific performance, or making yourself liable in any way; that you have not knowing, intentionally, and/or voluntarily entered into an unrevealed contract with the federal government.

Example:

Sign Here:

John Doe

Without prejudice UCC 1-207

Today, because a fraudulent plastic imitation

rules rather than the real thing, Americans are caught in a "catch-22" dilemma. If they want to try to derive any protection or benefit from the Constitution, i.e. the "government" created by the Constitution and any of its innumerable aspects, agencies, "laws," rules, regulations, policies, police, courts, military, etc., they must forfeit their rights and freedom by declaring themselves to be subject to (i.e. bound and enslaved by) the Constitution. This is to say they must affirm the validity of the Constitution in order to invoke its use or protection. Only this nexus can provide a basis for someone to assert that a contract exists between himself and "his" government. One need not expressly sign a contract or swear an oath to be considered within a contractual nexus with the State. Accepting any benefits or privileges from any aspect of the State, subscribing to an adhesion contract or forming an implied contract between the individual and State, or even executing a unilateral contract of gifting rights or property to the State, generates a contractual nexus. As per the maxim of law:

It is immaterial whether a man gives his assent by words or by acts and deeds. 10 Co. 52.

When adjudicated in State tribunals, any contract between you and the State, whether implied, adhesion, or unilateral, and all the terms, conditions, rights, duties, ramifications, and consequences thereof, is decided by the State for the benefit of the State and to the express detriment of yourself.

The above situation exists and is perpetuated by all States against their people based upon the State proclaiming legitimacy on the grounds that all presumptions, and all un rebutted claims and charges, stand as the truth and law unless properly and timely refused, rejected, disavowed, or rebutted. In the case of the people vs. the State the presumptions upon which the State purports the legitimacy of its authority to exist and function include, but are not necessarily limited to, the following:

- 1) Everyone is presumed to be a free will sovereign with sole and exclusive right to choose and act for him/her self;
- 2) Everyone is presumed to know the law

("ignorance of the law is no excuse");

- 3) Everyone is presumed, based upon the above two criteria, to have submitted to the rule of State by having knowingly, intentionally, and voluntarily assented to the rule of State.

Not only do people not properly and timely refuse, reject, disavow, or rebut the presumptions of the legitimacy of State rule over them, but they expressly agree to said rule by accepting benefits from the State, e.g. voting, invoking protection of State laws (such as working for a living with any disputes between you and your "employer" decided pursuant to the laws of the State and adjudicated by its courts, enforced by its police, etc.), acceptance of welfare and other illicit largesse, Social Security, and even by using private commercial paper called Federal Reserve Notes (FRNs) as "legal tender" to pass as money and use as "valuable consideration" in contracts which the contracting parties execute between themselves without owning the consideration they purport to be contractually binding. *

The functions of State have been so vast and pervasive that it is now virtually impossible to breathe without "accepting" some "benefit" from the State and therefore granting the State a basis to evidence your alleged conscious intent to acquiesce to its rule over you. As a result, life has become a nightmare. The old adage that "*the price of liberty is eternal vigilance*" has been amplified to such colossal proportions that if one spent a full 24 hours a day engaging in nothing but endeavoring to identify and rebut the presumptions of "benefit" the State claims you accept and which therefore purport to entitle the government to rule you, you would not begin to be able to discern them all, despite the maxims:

For we ought to be helped by a benefit, not destroyed by it. dig. 13. 6, 17. 3; Broom, Max 392.

No man is presumed to do anything against nature. 22 Vin. Abr. 154.

Nevertheless, despite the practical difficulty, not only is everyone lawfully entitled to reject the State and all its myriad aspects and tentacles but is morally obligated to disengage from the

government. Otherwise, one can never be a clean, clear, and free being, i.e., Sui Juris.

Most people do not quickly object to accepting perceived benefits. But if Americans in particular, and the people of the world in general, perceived the depths, extents, and severity of the destructiveness and fraud perpetrated upon them under guise of government "benefit", the people would shred the guilty parties into millions of bits of flesh, bone, and sinew, and the wrath would be considered utterly justified.

* Erie Railroad v. Tompkins, 304 U.S. 64-92 (1938), where the supreme Court ruled that "*there is no federal general common law*", page 70, @ "Headnote 3," and "*Congress has no power to declare substantive [emphasis added] rules of common law applicable to a State, whether they be local or general in their nature, be they commercial law or a part of the law of torts.*" page 64. There could be no more federal general common law or substantive rules of common law because the consideration on all contracts used by everyone in the country was non-substance, i.e. Federal Reserve Notes (FRNs) belonging to the private Federal Reserve Corporation and not to the countless Americans executing contracts on a regular basis, whether public or private. To use as "valuable consideration", and purport to be authorized to bind, property that does not belong to oneself renders oneself obligated to the owner of the consideration, in this case the Federal Reserve Corporation.

Notes: _____

Chapter 6

Before we go any further, it would be wise to first discover some of the devious methods used by agents of government to confuse the Natural person (or National), into believing that artificial persons and corporations have the same fundamental, god/creator-given, rights as they themselves have; or more important, to discover how government has fraudulently twisted and construed the meaning of words in order to gain or steal our freedom, thereby placing us in a position of government servitude.

In most cases, we were completely unaware of this deception; or if we were aware of it, we did not know that we had recourse and remedy to correct the situation. In the following text, I will try to list and explain a few of the corporate United States intentional deceptions perpetrated against NATIONALS of AMERICA and the remedies found for these deceptions in the Uniform Commercial Code.

First it must be understood that we do not have Constitutional RIGHTS. The Constitution was written for the public employee, in order for him/her to know and understand her/his LIMITATIONS of authority.

Like it or not, today the “Law of the land” is the Uniform Commercial Code. Although we all know that we have several fundamental inalienable rights, these rights are completely ignored by the United States courts as merit less and inapplicable. They are merit less and inapplicable because we have been asserting them in the wrong forum. The only way to get remedy in today’s court is through the Uniform Commercial Code.

Once we have reserved our Rights through the Uniform Commercial Code, Section 1-207, we can then start claiming our Fifth Amendment Rights. Many patriots believe that an affirmative approach is the proper position to take in the United States' commercial courts. You might even want to consider claiming the almost forgotten Ninth Amendment Rights: *“The enumeration in the Constitution of certain*

rights, shall not be construed to deny or disparage other retained by the people.”

Our forefathers, fearful of the imperial power of a central government, sought to limit its powers by adding the 9th and 10th amendments to the U.S. Constitution. The Ninth Amendment was added as a “Constitutional” wild card. In a card game, the wild card is whatever you claim it to be. Under the Ninth Amendment, you may claim whatever Rights you want to - subject to the approval of a common law jury.

You do not have the right to deceive anyone; to deliberately harm anyone; to impersonate a government official or professional person in order to gain what does not rightly belong to you. These are selfish aspirations and not in the interest of justice. No (common law) jury will uphold these “Ninth Amendment Rights.”

As God-fearing people, we have divine responsibilities. We are the silver bullets! We are the people who will make a difference. We are the people who will have to stand up for what we believe; (and some may say) knowing we are doing God's Will.

You will notice that in the US Code and in the Internal Revenue Code certain words are referred to as “terms.” The purpose of this practice is to twist, and adjust, the meaning of a particular word in order to confuse or deceive the people at-large. For example, at the beginning of each chapter of the Internal Revenue Code, there is a list of words that have different meanings from that, which is used, in say, a common Webster's Dictionary. In defining particular words in any particular title you will see such wording as:

“When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof... the term _____ shall be construed to mean and include... “

“The term " x y z" has the meaning given such term by section 1xx(a)(1).”

This type of wording alone should alert us that something is amiss. Can an agency, or anyone

for that matter, change the meaning of words for its own benefit? They might contend that it is for clarity. We must be on the lookout for such wording. If we don't understand a word, or phrase, it is very important to research its meaning in order to fully understand its intent. Words and wording in legal stuff has specific meaning. Jargon in any profession is meant to help the practitioners of and in said profession and generally has the intentional / unintentional of keeping others away.

When you see such wording as “proposed deficiency”, “imposed tax”, or “taxable income” DON'T jump to the conclusion that these phrases automatically make the person receiving a letter containing these terms, a LIABLE PERSON. If you haven't already voluntarily submitted to Internal Revenue Service's jurisdiction, does said agency have the authority to “impose” anything on you? Isn't it possible that this agency is making presumptions regarding your “liability” with intent to seduce or harass you into submitting to its presumed “authority”?

Did you know that in Title 26 USC the Internal Revenue Code the terms “CITIZEN”, “RESIDENT”, “TAXPAYER”, “PERSON”, “DRIVER” and “INDIVIDUAL” all have the same meaning? These terms denote artificial entities (or TITLES of NOBILITY) that have made themselves subject, by accepting governmental benefits, to the jurisdiction of the federal UNITED STATES.

The imposed tax in this case is not on the people themselves but on the privileges made available to the” citizen”, “resident”, taxpayer”, or “driver.”

When you bought your house with little green pieces of paper you gave nothing of value, so you only receive use of the property; thus the reason for the property tax. The property tax signifies your rent for its use.

When you use Federal Reserve notes you accept the PRIVILEGE of getting by without paying debt and the SECURITY of having LIMITED LIABILITY of the national debt.

Residency itself is not a privilege, but the things that come along with it are, the privileges and benefits, i.e. fire and police protection,

The privileges connected to these Titles of Nobility are what attaches the liability.

These terms indicate a citizenry that has SUBJECTED itself to the jurisdiction of the federal government by accepting the grants and privileges of a foreign government. Such grants or privileges can also be disguised as WELFARE, SOCIAL SECURITY, COLLEGE GRANTS (or government loans), privileged professional LICENSES (verifying your integrity and expertise); and, in the case of the DRIVER'S LICENSE, the privilege of doing what you already had the right to do before; to move from one point to another unencumbered.

If you ask permission do something or to receive something you have caused another individual (in this case, an agent of government) to make the presumption that he/she, somehow, has the authority to grant or deny your wishes. Ask and you will receive - but at the expense of your freedom to live your own life as you see fit.

To continue, corporate State governments construe the words (terms) “ADDRESS” and “RESIDENCE” to have the same meaning; when, in fact, they are quite different. The term ‘residence’ is a term for a commercial corporate address; a privilege given by the State. When you fill out a State's Driver's License application, and you fill in the space where it asks for your “Address or Residence”, you cause the presumption that you are a privileged corporate entity; and, therefore, are subject to the jurisdiction, and tax, of the corporate State where you live.

When a State or Federal application asks if you are a United States Citizen, and you answer “YES”, you unknowingly subject yourself to the jurisdiction of the United States government by “causing” the PRESUMPTION that you are ONE OF THEIRS.

The STATE OF TEXAS is a corporate citizen. When you find yourself in a courtroom situation in which you are the accused and the STATE OF TEXAS (or the STATE OF [your state]) is the plaintiff; you are, for all purposes, up against another State Citizen. This state “became” a citizen (or “injured party”) via its corporate status. The preposition “of” is the connecting word. CONNECTING this state to the Federal Government and subjecting this corporate entity to Federal jurisdiction.

STATE OF TEXAS = corporate citizen

Texas state / Republic = We the People...
(Preamble People)

Do we, as one of “*We the PEOPLE...*” have any remedy or recourse? Can we protect ourselves against the fraud that has been perpetrated and is being perpetrated twenty-four hours a day, every day of the year by the CORPORATE United States?

The following situations are instances in which you might find yourself in a position wherein you are incapable of finding recourse or remedy.

1. Overcoming the PRESUMPTION made by corporate government that you are a contributing party to the “bankruptcy” of this country because of your use of paper negotiable instruments. (i.e.: Federal Reserve notes, bank checks, etc., money orders, credit cards, etc.)

2. Overcoming the PRESUMPTION made by corporate government that you are “accepting” government-granted privileges benefits, and securities by partaking in the following:

- use of the United States Postal Service by being in possession of a residence or address, use of state name abbreviations, etc.;
- use of a government-operated communication system: i.e., the telephone system;
- use of any government-owned utility: i.e., The Tennessee Valley Authority;
- being a third party fiduciary to a 'foreign' corporation by investing in any product that is

manufactured by a privileged corporation (i.e. contractual agreement to buy an automobile.)

In order to provide for our own personal needs, we often find ourselves in a position wherein we are INCAPABLE of preventing a false PRESUMPTION on the part of the FEDERAL United States or the CORPORATE individual State in which we live. In these situations we must conduct business under PROTEST and WITHOUT PREJUDICE according to UCC 1-207.

To avoid any misunderstanding on the government's part as to whether or not we are subjecting ourselves to its jurisdiction, we take an affirmative action regarding these false presumptions. Whenever you find yourself in a courtroom situation or when signing any paper or document (instrument) pertaining to, or sent by, any governmental or corporate agency sign with RESERVATION OF RIGHTS with one or more of the following reservations:

“Without Prejudice, UCC 1-207”

“Signed without prejudice pursuant to UCC 1-207”

“With Explicit Reservation of all rights. UCC 1-207”

Paper Money (or other privilege); a government-granted privilege; **'benefit' used without prejudice UCC 1-207**

According to the UCC...

Liability of ALL parties to a contract is DISCHARGED if any party has no right of action or recourse. If remedy is not allowed in a contract, (such as the presumed contracts mentioned above), THERE IS NO ACTUAL CONTRACT.

For an example, pursuant to the Uniform Commercial Code, a “contract” can be discharged in situations where a natural person does not, knowingly, intentionally, and voluntarily enter into said contact; thereby, he is unaware of any presumed terms or liabilities.

This is often the case in the filing of the Internal Revenue 1040 form. If we don't know who we are, (our status with regard to the FEDERAL United States), how can we possibly know if we are a "person made liable for the income tax."

In all likelihood, you executed and signed your first 1040 income tax form when you were under-age and because your parents told you it was a requirement. They probably did not tell you whether it was a requirement for all people, or whether it was a requirement only for the people who chose to intentionally subject themselves to governmental servitude. Your father mostly likely told you EXACTLY what was previously told to him; and neither of you asked "HOW YOU WERE MADE liable."

1. Could such a "contract" be considered a BINDING contract?
2. Wouldn't such a "contract" be considered to be one that was "entered" into under DURESS, or one that was "entered" into under undue influence because you were coerced or otherwise falsely mislead into believing that you had an obligation to do so?
3. Wouldn't such a "contract" be considered to be one that was "entered" into by mistake, because you were not knowledgeable regarding ALL the terms and liabilities of such a contract?
4. Couldn't such a "contract" be found to be fraudulent in nature?
5. Couldn't such a "contract" or agreement be DISCHARGED because of DURESS, COERCION, undue/untrue influence, mistake, or FRAUD?

If you find you have no right of action or recourse against the government because they are attempting to impose an unlawful tax, use UCC, section 3-601.2 to DISCHARGE the presumed "liability."

"Liability DISCHARGED without prejudice, pursuant to UCC 3-601.3"

Because of circumstances such as this, we must know who we are, and how we fit in (or don't fit in) with the corporate government. As the saying goes: WE HAVE TO FIND OURSELVES! If we don't know who we are, how can we expect others to know?

Native-born people (NATIONALS of one of the continental states of the Union) are not affected by federal/corporate government; unless of course, they choose to be via a contract or agreement.

As mentioned in Chapter 1, there are different and distinct United States, and one does not affect the other, except through contract or agreement. They are each foreign to the other. Because of fraudulent practices of the players in the federal United States (politicians and bureaucrats), we must (as private Nationals, private natural persons) assert our Sovereign / alien status in order to prevent this foreign corporate government from falsely presuming that we somehow come under its jurisdiction.

26 Code of Federal Regulations, Section 1.1-1 states at (A) that:

"the Code imposes an income tax on the income of every individual who is a citizen or resident of the United States and, to the extent provided by Section 871(8) or 877(b), on the income of a non-resident alien individual."

Now, if we are foreign to the corporate United States because of our NATIONAL status, then we obviously ARE alien to this United States for purposes of the Internal Revenue Code.

Section 1.871-1 states the manner of taxing alien individuals:

"(A) Classes of aliens. For purposes of the income tax, alien individuals are divided generally into two classes, namely, resident aliens and non-resident aliens --

(B) Classes of non-resident aliens -

- (1) In general. For purposes of the income tax, non-resident alien individuals are divided

into the following three classes;

(i) Non-resident alien individuals who at no time during the taxable year are engaged in a trade or business in the United States, and...”

Knowing that you are an American National you must now determine if you have engaged in a U.S “trade or business” which could make you subject to the corporate United States. The answer to this question will determine whether or not you are a “resident alien” or a “non-resident alien.”

Even though you are not living within one of the federally owned territories, you could still be considered “ONE OF THEIRS” if you are engaged in “resident business” thereby conducting business via a corporate license or government privilege.

If you qualify as a native-born, non-regulated individual who is FOREIGN to the legislative and territorial jurisdiction of Congress you are a NON-RESIDENT alien for taxation purposes. If you work in private enterprise, your earnings are not U.S. source, nor effectively connected with a U.S. source. If you meet these requirements, YOU ARE BEYOND THE SCOPE of the jurisdiction of Congress and the Internal Revenue Service.

You may not qualify to be a taxpayer.

The U.S. Government's power and authority is limited to naturalized Fourteenth Amendment Citizens and individuals who have volunteered to make themselves SUBJECT to the jurisdiction of the FEDERAL United States, i.e. the District of Columbia. Unless you volunteer to become subject to its jurisdiction you are, for purposes of Congress and the Internal Revenue Code, a NON-RESIDENT ALIEN!

Once you know who you are, you can assert your rights. In the courts and with regard to any governmental agency, those RIGHTS can be found in the Uniform Commercial Code.

With regard to SEIZURES, the Internal Revenue Service is LIMITED as to whose property they can seize. Title 26 USC Sections 7301, 7302, 5335(2) and 6331 are the sections that state who the government can levy and put seizures upon. Check them out for yourself – you may find that NONE OF THESE SECTIONS APPLY TO YOU.

These sections are relevant to the Code of Federal Regulations (CFR), section 301.633.2-1 which clearly states that the Internal Revenue Service can only levy government held property of EMPLOYEES AND OFFICIALS of the GOVERNMENT.

Now remember, if you are engaged in a privileged corporate business that is effectively connected to the federal United States you are considered a resident (or resident alien); and you are an EMPLOYEE or OFFICIAL OF GOVERNMENT.

Have we previously been under the misconception that we were subject to such seizures? Were we “fraudulently” led to believe that we are a federal citizen of the United States, Were we “fraudulently” led to believe that we had an obligation to incorporate our business, or get a State License; and because of this, have we subjected ourselves to the jurisdiction of the United States (corporate) Government. If you do not, knowingly, voluntarily, and/or intentionally, enter into such a contract can you be held liable? Wouldn't such a chain of events constitute “FRAUD” on the government's part; and mistake, acting under duress, and/or undue influence on your part? Wouldn't such a chain of events leave you WITHOUT ACTION or RECOURSE?

DISCHARGE this presumed liability WITHOUT PREJUDICE, pursuant to Uniform Commercial Code 3-601.3

Because of the United States government's possible fraudulent behavior, and because of our incapacity (being unable to prevent government's FALSE presumptions), any contact that we may have with this government must be UNDER DURESS and must be conducted

ambiguous1y. UCC 1-103 gives you a way back to the real law:

"I don't accept these benefits openly; if I have received a benefit, it was 'received' ambiguously because of the fraud in the essence."

“I would not have accepted a benefit if I had known the ramifications of the presumed agreement.”

Let it be known that you do not accept their “benefit” openly and voluntarily. (Obviously, in order to survive you sometimes find yourself in the position of “receiving” the corporate benefits of government-owned utilities, government-grown produce, government-raised protein, and many other government-manufactured merchandise.)

“Receipt” of government “benefits” is under PROTEST, pursuant to U.C.C. 1-207 and 3-305.2(c)

The following are more examples of situations wherein we can DISCHARGE fraudulent “liabilities” placed upon us by government:

1. The necessity of doing “business” with one or more government corporations because of incapacity.
2. Because the government exchanged gold and silver for valueless paper money they have “gained” access to your property.
3. Because this is the only medium of exchange made available to me, it has “caused” the country and its people to become “indebted” to government.

STATE the FOLLOWING: *“If I give the appearance of being indebted to the government, it is because I am left without action or recourse.”* NO REMEDY AVAILABLE *“Liability”* DISCHARGED pursuant to UCC Sections 3-305.2(c) and 3.601.3

Never admit to accepting a benefit! Although you might be forced to “receive” it, or “use” it because of a governmental monopoly; never refer to this incapacity as an acceptance. ACCEPTANCE denotes a voluntary action.

Notes: _____

Chapter 7

The author acknowledges the power of the Uniform Commercial Code and warns the reader that to use anything in this writing without a full understanding is akin to picking up a newfound gun, randomly pointing the weapon and pulling the trigger. Without training, use of the UCC, like the gun, could be dangerous.

An UNSUBSTANTIATED, or UNVALIDATED property tax bill, traffic ticket, or income tax demand is nothing more than a PRESENTMENT; a presentment that is offered to you for your consideration. Once you learn the proper procedure per the Uniform Commercial Code, you can dishonor and DISCHARGE the invalid “bill.” How can you be guilty of a demand for money?

You have three (3) days to revoke or deny the presumed liability via a NOTICE Of DISHONOR. If you fail to dishonor the presentment you [automatically] ACCEPT it and become liable for the fine.

(Refer to:
 § 3-501 PRESENTMENT;
 § 3-502 DISHONOR;
 § 3-503 NOTICE OF DISHONOR;
 § 3-504 EXCUSED PRESENTMENT AND
 NOTICE OF DISHONOR; and
 § 3-505 EVIDENCE OF DISHONOR.)

Do you know that a bank cannot legally require a fingerprint as a condition of cashing a check? According to UCC 3-501(b)(2), they can only require you to:

- Exhibit the instrument (i.e. you show them the check)
- Give reasonable identification, and evidence of your authority if you are cashing the check on behalf of someone else
- Sign the check, and make a written receipt for partial payment, or the surrender of the check upon full payment (i.e. you let them keep the check)

They write the brochures to say that they "ask" for a fingerprint (not "demand" as a condition of payment). Their excuse for the fingerprint is "reasonable identification." So if you can get them to agree that your picture ID is reasonable identification, they have NO LAWFUL EXCUSE for refusing to pay the check just because you don't give them a fingerprint! In this case they have "dishonored" the check and you can proceed exactly as you would if they blatantly, and for no reason, refused to pay

Notes: _____

Chapter 8

In order to dissolve any UNSUBSTANTIATED PRESUMPTION or assertion made by the government, you should make a statement such as the following in order to qualify your position regarding their presumption that you are “accepting benefits from government.”

STATEMENT FOR COURT TO SET YOURSELF UP PROPERLY UNDER THE UCC – STOP THE FRAUD BY STATING:

“FOR THE RECORD: The natural person before you in the instant case says and shall continue to state: My Christian name is John and my Family name is Doe – properly spelled capital letter “J”, lower case letters “o”, “h”, “n”, space, capital letter “D”, lower case letters “o”, “e”. I am a private national state Citizen, a natural person, a preamble north American national domiciled on the land in Texas Republic, a Union state. I am not a citizen, resident, officer or employee of the federal United States nor any of its possessions, enclaves, forts, etc., I am not a Fourteenth Amendment citizen; I am not a citizen of any corporate conglomerate State government; I have not knowingly, willing/intentionally, or voluntarily made myself subject to the colorable law jurisdiction of the United States in the corporate monopoly of the Federal and/or the State Governments; for purposes of the Internal Revenue Code I am a non-resident alien. Any contract that may be in place concerning me is so under color-of-law and false presumptions, must be under threat, duress and/or coercion, and must be conducted ambiguously.

“I do not accept benefits thereof openly; if I have received a benefit, it was ‘received’ ambiguously because of the fraud in the essence. I would not have accepted a benefit if I had known the ramifications of the presumed agreement. I do not accept said benefit openly and voluntarily.

“I am therefore not subject to or in the jurisdiction of the colorable law jurisdiction of the United States in the corporate monopoly of the Federal and/or State of Texas Governments.

“If it appears that I have received any ‘benefits’ from the government, they were ‘received’ without prejudice under UCC 1-207. If I give the appearance of being indebted to the government in any way, it is because I am left without action or recourse. – NO REMEDY AVAILABLE. Therefore:

“Liability DISCHARGED, without prejudice, pursuant to UCC 1-207, 3-305 and 3-601

“FOR THE RECORD: I am NOT willing to participate in the federal United States bankruptcy that is being administrated against me and my fellow American citizens WITHOUT my prior knowledge and consent. I am NOT willing to APPEAR in an equity, maritime or admiralty jurisdiction court, WITHOUT my ACCUSER and/or CREDITOR present, and/or WITHOUT the specific signed and authorized American or international contract presented as evidence of my voluntary consent.”

Reference:

1-207 A party who with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words as **“without prejudice”**, **“under protest”** or the like are sufficient.

3-305 c) An obligor is not obliged to pay the instrument if the person seeking enforcement of the instrument does not have rights of a holder in due course. d) In an action to enforce the obligation of an accommodation party to pay an instrument, the accommodation party may assert against the person entitled to enforce the instrument any defense or claim in recoupment under subsection (a) that the accommodated party could assert against the person entitled to enforce the instrument

3-601 The obligation of a party to pay the instrument is discharged as stated in this Article or by an act or agreement with the party which would discharge an obligation to pay money under a simple contract.

Chapter 9

SOCIAL SECURITY

The Social Security Act (1938) is a benefit; and a person in possession of a Social Security Number (SSN) is presumed to have entered into contract with the Government willingly.

Notice the author slipped a couple of new things in this writing?

In Chapter 8, the “STATEMENT FOR COURT” section, the spelling of name was mentioned. How do you spell your name? Look at the spelling of your name on the Social Security card you may have. Notice how your name is written on anything from the Government – ALL CAPITAL LETTERS. Do you spell or write you name that way? Do you find the all-capital letters portrayal of your name to be proper grammar? (Even if English was not your best subject in school - probably not.) Should you suspect that perhaps they are referring to another? The answer is: YES!

Whenever you see your name spelled in all-capital letters know that it is a fiction created by the Government to trick you into doing things you may not need to be doing or want to be doing. Remember your Rights including the free-willed concept mentioned earlier. While some people may find this difficult to understand at first – it is still, never the less, true – and very important.

Whenever you receive anything with your name spelled in all capitals letters you are acting, by “accommodation”, for what is known as your “strawman.” A strawman/strawperson is a (fictional) transmitting utility between things, in this instance, you and the Government. If you answer when your strawman’s name is called, you are presumed to be him/her. (Test: say your name in lower case and then in all-capital letters.) Question now is: Are you your strawman? **Not!**

The UCC addresses such a thing in 3-419 Instruments Signed For Accommodation, which

says that documents can be considered valid when they are signed by accommodation. This means that if you answer for your strawman you can also sign for him as well. And under UCC it is considered legal/legitimate.

Getting back to the Social Security thing for a moment – do you have a Social Security number – or does your strawman? Did you know that you can go in person and request a copy of the original form (SSN-5) that you signed on with the Social Security Administration? (See their website: <http://ssa-custhelp.ssa.gov/> Search Text: *original ss-5 forms*) Yes, you can request it and it takes two to four weeks for them to retrieve it for you and it costs \$27.00 - interesting reading. It gets even more interesting when you get back a document that doesn’t even bear your signature. How so you ask? Today, new mothers are told that they cannot leave the hospital, after birthing, without signing their new baby up with Social Security. Why? (One wonders – according to SSA Pub No. 05-10055, August 2000, “...the Social Security Trust Fund will be exhausted in 2037.”)

As you may be beginning to suspect this thing is larger than the scope of this writing. And as you may also be beginning to think – this has itself involved in most every aspect of your life – and, even after you leave this planet, your estate, probate, etc.

Because most people are not aware of the fraudulent ramification surrounding possession of a Social Security Number (or Taxpayer’s Identification Number); or because they are not aware of how to assert their rights (through UCC), “obligations” and liabilities” do attach.

A derivative of a name is not the legal name.
Monroe Cattle Co. v. Becker, 147 U. S. 47 (1893)

Notes: _____

Chapter 10

Now some may want to seek the advice of a lawyer/attorney. Consider this: The American Bar Association was established in this country just after the Civil War.

(There are those who refer to it as the British Accreditation Registry as it has its connections to England.)

From their website (<http://www.abanet.org/>): the American Bar Association, the largest voluntary professional association in the world. With more than 400,000 members, the ABA provides law school accreditation, continuing legal education, information about the law, programs to assist lawyers and judges in their work, and initiatives to improve the legal system for the public.

Nevertheless it is the legal profession's labor union. One particular view is that it was brought about as a system of general slavery to replace the old system of black slavery, by guaranteeing a monopoly of the courts for attorneys, judges, and municipal corporations (city, county, and State.) As a labor union it is quite strong. Notice the absence of instruction of Law in the public schools. (And they say ignorance of the Law is no excuse.) Notice that only union (BAR) attorneys are legally able to give legal advice. Notice, you can only represent yourself or be represented by a BAR member in a court situation. (This converts the courts into a closed union shop.) All this corresponds to pre-civil war time wherein black slaves were not taught to read and were not allowed to get a public education lest they become strong enough to speak out against their repression (and possible overthrow their slave-masters.) Notice that the BAR Associations act in violation of anti-trust and anti-monopoly laws.

On the issue of "attorney" – the word "attorney" comes from the word "attorn" which means to turn over as in exchange/transfer from one owner to another. In old English law "attornment" referred to the turning over or transfer of tenants (peasants / lower class), on the land, from the old Lord (aristocrat / upper class) to the new Lord without disturbing the class structure – a treaty so-to-speak, a peaceful

method of maintaining a noble class acceptable to the common people. They (the peasants) may not have liked it, but they accepted it. (*"Here comes the new boss just like the old boss"* – as the song goes.) Attornment was a method of guaranteeing an unequal protection of the law from the rich and the poor. An attorney's role in the system was to provide the ceremony of the acquiescence of the poor and to do so in a manner as to preserve and maintain the class structure, the peaceful unequal protection of the law. Is it any wonder as why attorneys rank low on the list of people most liked and trusted? Attorneys practice attornment, the passing of property from one (you) to another.

A lawyer, on the other hand, is a person learned in the law, one who understands law and who loves the law for its capacity to rectify the evils of society. One who both professes and practices liberty and justice for all and therefore the equal protection of the law. Lawyers practice law. As we have learned, the united States Constitution provides many (over thirty) guarantees of the equal protection of the law. A lawyer supports those provisions of guarantee – an attorney opposes those provisions. In America a lawyer obeys the Constitution; an attorney does not. State Bar Associations accept both for membership and as there are both the good and the bad in most anything, there are lawyers who practice attornment and attorneys who practice law. Until now, you, as most people do, probably thought the terms lawyer and attorney mean the same thing. Even the professionals call themselves "Attorneys-at-Law" which is a contradiction. A test may be as to whether or not a particular professional will file charges against a Judge for failure to protect Constitutional rights, an attorney will not. When it is necessary, a lawyer will act as a substitute and even go to jail for a cause believed to be right, whereas an attorney will ask to be removed from a case were the going gets rough and becomes a battle, running, if you will, from the face of the enemy.

As said earlier: They like to say ignorance of the Law is no excuse for wrong action; that all persons are presumed to know the difference between right and wrong, hence to know the law. If that were true, there would be no reason

for public education in law and the practice of law; no reason to have law schools; no reason as why people, like yourself, could not “practice law without license”; no reason as to why an average person should or could not sit beside a friend in court and to act as council to them.

One of the Founding Fathers, Thomas Jefferson, said that the common people should be able to “practice law without a license” and to be able to do so, they should be given a public education in law. This author believes that, in this, Thomas Jefferson was a wise person worthy of being emulated.

Notes: _____

Notes: _____

Chapter 11

The Question of Jurisdiction

You must know who you are and how your status fits in and doesn't fit in with State and Federal Government.

In order that you separate yourself from "their" jurisdiction consider your mailing address.

Question: What is your address?

You may answer 1234 Maple Street, Any-town, Any-State and the zip code attached.

Now consider this – can you sell, trade, or give away the particular address or zip code? No, it is not your property – the street address belongs to the municipal government in which it is located and the ZIP Code belongs to the U.S. Postal Service. Is the ZIP Code necessary for mail delivery? Don't think so.

Are you a res-ident? 'Res' is a very interesting word. Simply it means 'thing' – however, I suggest you look it up in a legal dictionary such as Black's – available in most libraries. And, of course, you recognize the word 'ident' as in identification. Put them together and what do you have? Resident = thing identification. Are you resident? Become familiar with the terms "residence" and "domicile" – I feel you will begin to think, act and say things differently.

Consider this [more proper] addressing [scheme]:

I am a natural person domiciled on the land in the Texas republic. Mail reaches me at the following address:

Your Name (remember, spelled in proper form, upper-case first letter, lower-case others.)

Without Prejudice, UCC 1-207

Non-resident / Non Domestic

First Class, U.S. Delivery

c/o 12340 Maple Street [78700-0000]

Austin, Texas state

That is a "c/o" in front of your street number, "c/o" as in care of. You could actually use the words "in care of" or just "care of." Important thing to notice here is that you, as a non-resident alien and foreign national American to the corporate government, may receive mail in care of the so-stated address.

You do not "accept" (per UCC) mail put into your postal reception box/slot -- you only "receive" it there; and, that you may "receive" it without prejudice per UCC 1-207.

Also, use the full spelling of everything, street, lane, cove, north, south, etc. as abbreviations are a benefit and also copyrighted by the U.S. Postal Service.

The Post Office (corporation) assumes all mail to be DOMESTIC until you give NOTICE (per UCC) otherwise. Therefore insert the phrase "Non Domestic" as shown

Remember that the above example is for both sending and receiving. Have a rubber stamp made or have your envelopes printed accordingly.

It works just fine with the Post Office and it begins to separate you from "them."

The USE of the two letter state abbreviation is also a 'benefit.' Always spell out the name of your state (even if it is Mississippi, California, etc.) Be proud of your state, you don't go around saying MS, CA, TX or the like do you?

On ZIP Codes...

Use of the Commercial ZIP Code is voluntary (see Domestic Mail Manual section 122.32) and also a 'benefit.'

In the above example the bracketed ZIP Code is for courtesy purposes only. Some enlightened people are choosing not use the ZIP Code at all.

The Post Office (not Postal Service) can find someone almost anywhere and do so without a ZIP Code. An address with a ZIP code number creates a Federal Jurisdiction, Market Venue, or

You may consider preparing and filing an **AFFIDAVIT: Certificate of Citizenship** as Administrative Notice. It will help in establishing just who you are.

Look up the word “artifice” in a legal dictionary. Perhaps, from time-to-time, you may find an artifice, or two, in your mail reception box.

792 Definition of Terms (page 245)

A resident of the United States includes any firm that has a place of business in the United States or is incorporated or otherwise organized in the United States, its territories, or its possessions.

All mail originating outside the customs territory of the United States (i.e., outside the 50 states, the District of Columbia, and Puerto Rico) is subject to customs examination...

29

Constitution for the United States of America

Article III

Section 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party;--to controversies between two or more states;--~~[between a state and citizens of another state];~~--between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and

comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

(<http://www.aele.org/USConsti.html>)

The author placed **Article III** here as a prelude to the following nine page letter. The question of jurisdiction is very important and must be answered before anything can go forward. The reader will notice that this letter is very timely given our current state of affairs.

Notes: _____

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310-370-3361

September 27, 2002

To: J S N
(address deleted)

Dear Mr. N:

Re: Jurisdiction of United States District Courts

The nature of the revelations in this letter requires this unique format. District courts of the United States have been mistaken for Article III since the Judiciary Act of 1789. Nothing can be done to change the nature of these courts in the several states without the direct intervention of Congress. A judge without judicial power can do nothing to change the jurisdiction of the court where he presides. However, there are countless miscarriages of justice that must be corrected. Following my conclusion, I offer recommendations that should be considered by anyone that has had contact with a federal court in the past or may have such contact in the future. Under no circumstances should any litigant or defendant in any federal court proceeding attempt to have the court consider the issues raised in this letter. You must first assure yourself that opinion I provide in this letter is absolutely correct before you confront any federal judge. I suggest that you create a support group for yourself if want to challenge a federal judge.

First time recipients of this opinion letter are provided with the statutes mentioned in my letter. These materials should be reproduced and distributed to all persons interested in proper and efficient judicial administration. I have prefaced each paragraph with a descriptive sentence in bold so that a rather long letter can be shortened to suit the reader's needs.

OPINION

In my opinion the United States District Court in your state is not an Article III court. I have been retained to provide you with my legal opinion of

the lawful jurisdiction of the federal district court or courts that have been used in the past by the federal government to control those opposed to the loss of their freedom to the national government. The federal courts known as United States District Courts are federal and territorial in that these courts implement administrative law on territory exclusively under the jurisdiction of the United States. These courts are being used primarily to prevent the rendition of law and equity in national courts by masquerading as Article III courts. These courts are incapable of achieving justice because they are not Article III courts. This opinion letter will explain in summary fashion why we have two such courts.

The true nature of the government of the United States of America is libertarian. Very few of the Posterity of the People that ordained and established the Constitution are aware that the loose confederation of state governments that became the United States of America is a true libertarian government. It is true that the nation created by the Articles of Confederation lacked the autonomy to compete with the European empires but that was of small importance to the people. Nevertheless the Constitution of the United States was proposed and intended to perfect the Union and establish a government that would carry out the aims expressed in the Preamble to the Constitution. The purpose of the Constitution was to establish and limit government to the purposes for which it was established. Unfortunately, the Congress has used very effectively the mechanisms in the Constitution to limit the third branch of the national government to the people's detriment. This opinion letter will offer some recommendations to correct what the Congress has done but there can be no doubt that Congress has failed to provide Article III courts in the several states.

The present intent of the federal government is to subject you to its administration. If you would be content to survive or thrive on your own without interference of a national government, in a short time an organization with federal government ties would attempt to draw you into its administration of some social welfare program. Because you are in America you are free not to participate if you

so choose. However, many people find themselves in a federal court that gives no assurance of being optional. Americans do not want to be in a court that denies them their freedom, however, for more than 200 years Americans have been subjected to administrative law in courts they believed were dispensing the judicial power of the United States.

Disguised administrative courts are being used to subvert your freedom. If you are being harassed by persons claiming to represent the government especially the national government, and you steadfastly refuse to consent to their demands you will likely later find yourself near or in an administrative, legislative, non-judicial court. You can bet that the court causing you immediate concern is not an Article III court. Since the court determines the judges' power and authority, the judge will not have judicial power, temperament or restraint. Individuals appointed to these United States District Courts are lead to believe that they are real judges and they are actually urged by the other two branches of government to act like judges.

Article III judicial power imposes self-restraint on judges. Only judges appointed to Article III courts may exercise the judicial power of the United States. Judicial power imposes restraints on the judges that have it that serves as some protection from judicial abuse. All justices appointed to the Supreme Court of the United States are real Article III judges. Forget about having a judge of this temperament involved in any federal case you might ever have. The judges of the other two types of courts, of course, have no constitutional judicial power so they tend to be extremely rigid in the way they administer their "judicial business." That rigidity is the result of the tight rein that the Congress maintains over the personnel and business of non-Article III courts to solely achieve congressional purposes.

United States District Court judges are lifetime administrators. Congress has provided for the appointment of administrators to lifetime tenures to courts created without Article III power and obtained a means by which it can continue to legislate long after a typical legislative enactment and executive approval would have run its normal

course. The federal income tax is the best example. Just when genuine tax protesters in civil federal juries were about to decimate the tax, the Collector of Internal Revenue was abolished and the tax was made collectible by "voluntary compliance." Article I and Article IV courts now drain off all opposition to the federal income tax. A tax that is paid by "voluntary compliance" cannot be litigated because there is nothing to litigate—the tax is, of course, paid voluntarily. Alleged tax crimes do not take place in Article III courts because none exist in the several states. Those who do not volunteer to pay their taxes are prosecuted in Article IV courts where a conviction is practically assured because the court is organized primarily to collect taxes and administer the federal government.

The Constitution is a limitation on Congress. The Constitution grants to Congress power to create courts by exercising three different powers. At various times in the history of this country Congress has created courts using these various powers under Article I, Article III and Article IV of the Constitution:

1. The Congress shall have power...To constitute Tribunals inferior to the supreme Court;
2. The judicial power of the United States, shall be vested in one supreme court, and such inferior Courts as the Congress may from time to time ordain and establish.
3. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;

Even Article III courts are limited to their territorial jurisdiction. Based on the statute law that created the various United States district courts throughout the several states, I have concluded that these courts are of limited federal territorial jurisdiction and that you are not to assume these courts have any power over you. A United States court with the name of a state of the Union is little different from a state court. In order for a court to have jurisdiction over you, there must be minimum contacts by you with the territory that makes up its geographical

jurisdiction. Never voluntarily appear in these courts because your presence gives the court jurisdiction over you. These courts are not subject to regular judicial rules because they are not Article III courts. The Article III district court in the seat of government will not be of any value because its purpose is to support government and not to provide you with protection from its abuses.

DISCUSSION

Lawyers and judges must be aware of the true nature of the courts they practice and preside in. During the more than 30 years that I have been a practicing attorney in California, I have appeared in and represented clients in many different courts, but I only recently began researching how the courts are constituted. I have discovered that the United States district courts established in California and in 48 other states by United States Statute are not Article III courts. There is confusion as to the difference between Article III courts and those courts that are other than Article III courts. Article III district courts are not territorially different from the tribunals inferior to the Supreme Court that Congress may constitute pursuant to Article I. Federal courts do not extend their judicial districts beyond federal territory. Article III courts are “territorial courts” that may exercise the judicial power of the United States—Article I and IV courts have no such power.

Congress has established Article III district courts in Hawaii and the District of Columbia. The 2 district courts of the United States that were ultimately pronounced ordained and established by Congress pursuant to Article III of the Constitution are the only ones that can exercise the judicial power of the national government. The judicial power of the Hawaii district court securely bound up in that court without a chance of extraction. California and the other 48 states of the Union must have United States courts with judicial power if the people are to obtain justice in law and equity from United States courts. That is not something that Congress wants to happen anytime soon. Congress and the President will stop at nothing to keep a steady stream of voluntary tax payment into the United States Treasury. Administrative federal courts

pretending to be courts of law and equity are interfering with California’s sovereignty and can prevent prosecution of terrorists in the federal courts in all the states but one—maybe. Perhaps the increased demand for medical uses for marijuana will break the lock that the Article IV territorial courts have had on state government.

Lifetime tenure during good behavior is criteria for a judge not criteria for an Article III court. A natural for the law school set, lifetime tenure fuels the universal presumption in the legal academic community that the federal districts courts are Article III courts and the judges that sit on those courts are Article III judges. I have found no basis for that presumption. Lifetime tenure as a predictor of judicial independence itself seems an invalid assumption. There is only one viable Article III district court in Washington, D. C., so there is little evidence to support that presumption. Because Congress can make law locally or nationally, it must be presumed that law enacted by Congress is territorial in scope rather than national, *Foley Bros. Inc. v. Filardo* 336 U.S. 281(1949), unless a contrary intent is shown in the legislation itself. The legislation creating the district court for Hawaii is the only example of a national legislative intent to create an Article III court in any of the 50 states of the Union. I have personally examined all the Statute Law used to create the district courts in the several states and Hawaii stands alone as the only state to have an Article III district court.

Combining the district court for Puerto Rico with the other United States District Courts identifies them all as territorial. The federal district courts are found in Title 28 U.S.C. Judiciary and Judicial Procedure, in the sections numbered from 81 to 131. Title 28 U.S.C. was enacted into positive law in 1948. The district courts were found in Chapter 5 just as they are today. The districts themselves had not changed from 1911 when they were described as the territory that existed on July 1, 1910. The territory was, for example, the “State of California” which then and now consists of the federal territory within California and today is defined in Rev. & Tax. Code Sections 5304 and 6017.

Puerto Rico is not a state of the Union. Its inclusion in Chapter 5 and appearance in §119 identifies the “states” in the sections of Chapter 5 as mere labels for the areas of federal territory. The Commonwealth of Puerto Rico includes the federal territory under the jurisdiction of the United States. Included, for example, in the “State of California” is the territory of the United States located in the California Republic. Use of the “State of California” facilitates the use of federal law to create a California personal income tax. State of California denotes those special federal places where the United States has jurisdiction.

Congress established the only Article III court for a state of the Union in Hawaii. Hawaii appears in §91 as the only Article III court but that court is qualified as to the way judges are to be appointed to that court. That qualification precludes the exercise of Article III judicial power by any judge appointed to that court. Under the heading for § 91 Hawaii, “Court of the United States; District Judges,” will found, Section 9 (a) of Pub. L. 86-3 which provides that:

“The United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thence forth be a court of the United States with judicial power derived from article III, of the Constitution of the United States: Provided, however, that the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior.”

All of Title 28 U.S.C. provides for the territorial government of the United States and nothing of Article III can be put back into it without destroying the entire Title 28 U.S.C. as positive law. In other words, there may be a present belief by all of the state and federal judiciary, all the legal academic community and all the local, state and federal government officials that the United States district courts for the 50 states of the Union are Article III courts, but they are wrong.

Congress prevented the ordination of the Article III it established for Hawaii by denying the court full Article III judges. Congress took a territorial court established by and existing under title 28 and created an Article III district court for Hawaii. It must be noted that the territorial jurisdiction did not change—only the power of the court. Congress has not, however, provided that the judges to that court are to be appointed to an Article III court. The district judges for the district of Hawaii are specifically to be appointed by the President pursuant to sections 133 and 134 of title 28, United States Code, as officers of the United States but not as judges of an Article III court. These two sections are also to be used in appointing any of 7 judges of the Puerto Rico district should a vacancy occur there. It can be deduced that appointment pursuant to 133 and 134 of title 28, will always produce territorial judges.

The Hawaii judicial district established in § 91 of the Judicial Code of 1948 was a territorial court. Section 9 (a) clearly indicates that prior to the admission to statehood, the United States District Court of Hawaii was not a true United States court established under Article III of the Constitution, to administer the judicial power of the United States, *Balzac v. Porto Rico*, 258 U.S. 298, 312 (1922). In *Balzac*, Chief Justice William Howard Taft stated that United States District Court for Arecibo, Porto Rico, as Puerto Rico was known then, “created by virtue of the sovereign congressional faculty, granted under Article IV, § 3, of that instrument, of making all needful rules and regulations respecting the territory belonging to the United States.” Puerto Rico is the Commonwealth of Puerto Rico and it has not been incorporated into the United States though its inhabitants are United States citizens. The inclusion of Puerto Rico in Chapter 5 as § 119 does not make the district court for Puerto Rico an Article III court because Puerto Rico has not been incorporated into the Union. Puerto Rico fits comfortably among the names of the 50 states because the geographical areas are mini federal territories or federal enclaves.

Government people are required to obey the law; it is their duty to obey the law. The government’s

law requires the total obedience of government's officers and employees but can impose upon citizens only certain legal duties. In the words of the Declaration of Independence, "Governments are instituted among men" to secure God given rights. Citizens are not part of government and they are not its subjects. There is only one duty that citizens have that indirectly protects the government. That duty demands that citizens must investigate and then determine the nature and extent of the authority of every person or group of persons, such as a grand jury, claiming any authority relationship with any government. As an abstract entity, a government maintains integrity through its agents and employees lawfully interacting with the public. A citizen's failure to carry out the investigation and determination of authority has grave consequences both for the citizen, his fellow citizens and the government. That duty has caused you to retain me to assist you in evaluating the claim that you should present yourself to give testimony. You have sought my counsel so you can determine the authority of a grand jury and of a person claiming to be the United States Attorney or one of his delegates or deputies.

A Citizen has a duty to question the authority of all who claim to represent government. You are cautioned against following any instructions that may be given you in any initial correspondence with any United States Attorney federal court. Agreeing to abide by any instructions set out in such a document is tantamount to accepting jurisdiction of what I have proven to be a territorial court. Because the law imposes a duty that you investigate the authority of all the persons from all departments of the government whose names appear on any document that even suggests that you act in a certain way, acting in a way suggested by them is evidence of your consent to their authority over you. Since these individuals are all connected with the United States district court for the territorial district of _____, your own investigation should begin there.

No other state has an Article III court. The federal district courts of California fall squarely within the mold of the federal courts of the 49 states that

have no Article III district courts. I have examined copies of all the Statute Laws described in the annotations to all the Chapter 5 sections of Title 28 that establish district courts in the states and Hawaii has the only Article III district court. I am convinced that none of the other states including California federal courts are Article III courts and that the district judges that sit in those courts are appointed pursuant to Title 28 and not Article III. When I examined all other related legal literature, I could find no evidence or reference to evidence that either the California federal courts or district judges were established pursuant to Article III of the Constitution. I now make it my business to provide my opinion of the current state of the judicial system along with the statute law that supports that opinion. I am prepared to share what I have found with other interested researchers.

Citizens have a duty to discover the true authority of those claim government power. The consequences of not investigating and not determining the nature and extent of the authority claimed is that you may have to bear the costs of your failure to do so. The federal income tax is local legislation directed at taxation of federal income in the hands of its officers and employees that agree to the taxation before they receive any income. However, anyone can participate in the system of federal income taxation by making a return and as a consequence many do without conscious realization. The court system that assists in its administration is necessarily administrative itself because no judicial powers were ever conferred to it. The research that is included with this letter proves that the federal courts are administrative law courts and not courts that have been ordained and established under Article III to exercise the judicial power of the United States.

The use of the term, "district courts of the United States" refers to Article III courts. There are at least two "district courts of the United States," but probably no others. There is no doubt that the district court for Hawaii is an Article III court—that's one. The § 88 court for the District of Columbia is another. The Historical and Revision Notes to that section makes it clear that the District of Columbia district court is a

constitutional court established and ordained under Article III. The existence of at least two “district courts of the United States” permits the general usage of language that refers to the “district courts of the United States” as Article III courts.

State courts that were already established when the Constitution was ratified were duty bound to obey the Constitution and the laws enacted pursuant to it. Reference to the Judiciary Act of 1789 clarified and substantiated that no Article III district courts had been created in the several states pursuant to that law. Districts were created for territories that by the date of enactment, September 24, 1789 had not yet ratified the Constitution because, of course, they were not states. North Carolina did not ratify the Constitution until after enactment of the Judiciary Act of 1789. District courts created under that act could not have been created under Article III. The federal trial courts during the period of the Judiciary Act of 1789 were manned by two United States Supreme Court justices riding circuit and the district judge for the district. The Judiciary Act of 1879 and every other Judiciary Act since that one are also supportive of my position on these United States district courts.

The evidence is incontrovertible—Hawaii is the only state in which the Congress has established an Article III United States district court. In the very same law, Congress has neutralized the Article III district court by installing district court judges without Article III judicial power. This creates a crisis of immense concern in our war against terrorism. Any terrorist indicted by a grand jury of any United States district courts may effectively challenge the grand jury array because that court is a territorial court and the grand jury is drawn from a vicinage outside the federal territory that actually and legally constitutes the territorial district of all district courts.

Grand and petit jurors determine if they are citizens of the United States and whether they have resided in judicial district for a year. In 1968 Congress enacted the Jury Selection and Service Act that uses the nation’s voter registration system as the basis for jury selection in the

federal courts. I have examined many of the Plans the district courts have created and that have been approved by the federal courts of appeal. The jury questionnaire in common use merely asks an applicant a half dozen questions beginning with, if he or she is a citizen of the United States and a resident of the judicial district for at least a year. Very few Americans can prove that they are, indeed, citizens of the United States and practically no one understands that the Sixth Amendment requires that vicinage be established prior to trial. For all of the states, district court vicinage is the federal territory within the counties that comprise the district. This is the only vicinage that satisfies the 6th Amendment command that the “district shall have been previously ascertained by law.” An individual jurors impression of what constitutes the judicial district does not satisfy the Constitution. Today most federal grand jurors live outside the judicial district and any apprehended terrorist can easily challenge them and any true bill of indictment.

All trial courts must have districts which shall have been previously ascertained by law. Venue and vicinage are being confused because an erroneous assumption is being universally made that the federal district courts are Article III courts. Of the 50 states only Hawaii can be shown to have an Article III district court. Vicinage describes where jurors come from. The areas from where Article III court jurors are to be drawn is the same as a territorial federal court. Grand and petit jurors for other than an Article III courts are territorial and they must only come from the federal territory within a district comprised of named counties but they are being drawn from outside the federal territory. Any grand and petit juror that resides outside a federal territory does not reside within the district and can successfully be challenged as unqualified.

A federal territorial court without Article III power cannot be conferred such power by the litigants. One United States district court cannot legitimately serve both local federal and national interests. The interests of the two courts are almost completely mutually exclusive. Territorial courts without judicial power tenaciously serve the need of Congress to administer government law and not necessarily the needs of the nation’s

people. There are in the several states only territorial courts and these courts cannot be used to further national interests and certainly they do not have the capacity to examine their own limitations. These courts only have the jurisdiction conferred on them by Congress and they guard that jurisdiction to the exclusion of all other judicial concepts.

Based upon the research I have done and that is provided herewith, all the United States district courts in 49 of the several states are other than Article III of the United States Constitution courts. There, simply, is no evidence that the United States district courts for your state are ordained and established pursuant to Article III, Section 1; therefore, they are not vested with the judicial power of the United States. Article III has not been invoked by Congress in creating any of your state's federal district courts and the 1911 Judiciary Act specifically creates those federal courts from the territory of the United States. When it is apparent that court officials are unaware of the limitations on their authority, it is never wise to attempt to correct these officials in their own court.

Non-judicial, legislative, administrative and territorial courts are incapable of exercising the judicial power of the United States, which can only be found in an Article III court. Article III of the Constitution has expressly granted to Congress the power to vest courts inferior to the Supreme Court with the judicial power of the United States. The Constitution does not prohibit the creation of federal courts outside of Article III. It follows, therefore, that at the very least Congress must invoke the authority of Article III in creating Article III courts just so one court can be distinguished from another. Congress must start with the language of the Constitution if the final outcome is to be courts ordained and established by Congress under that article.

Title 28 U.S.C. Chapter 5 which has been enacted into positive law provides for an Article III for Hawaii and no others. To support all the conclusions that I have made in this opinion letter, I have provided the portion of Title 28 U.S.C. that deals with the federal courts in your state, the statute law cited by Title 28 U.S.C. as

involved in the creation of the federal courts in your state and the same for the district court in Hawaii. In 1959, Congress established the only state district court under Article III, so the statute and code law for the Hawaii district court will prove interesting when you examine the creation of your own state's federal courts. It is apparent that the district court in Hawaii is not functioning as an Article III court, so the issue of what additional acts of ordination and establishment must be undertaken to create Article III courts will be the subject of another opinion letter. I advise you to read all the written material after you have read my letter so you can understand how consenting to the general territorial jurisdiction of these territorial courts obviated any need for national Article III courts.

The evidence that exists to show that the federal district courts are ordained and established pursuant to Article III is anecdotal or circumstantial. The Constitution provides that Congress shall vest the judicial power of the United States in "such inferior Courts as the Congress may from time to time ordain and establish." That same language was used in the Preamble to the Constitution to "ordain and establish this Constitution for the United States of America." There can be no question that the Congress has established but not ordained an Article III in Hawaii and in no other states. All that remains is to understand the consequences of what has happened and to learn from it.

Legal scholars assume without justification that the federal district courts are Article III courts. I have discovered and I hope proven that no responsible public federal officer has ever questioned their assumptions. In all the legal literature I examined, status of the United States district courts as Article III was assumed despite all the contrary authoritative evidence. The United States Supreme Court in two cases: *Balzac v. Porto Rico*, 258 U.S. 298 (1921) and *Mookini v. United States*, 303 U.S. 201 (1938) made it clear that a "district court of the United States" described a court created under Article III and a "United States district court" described a territorial court. The former identified a constitutional court of the United States exercising the judicial power of the United States

and the latter merely identified a court for a district of the government of the United States.

Legal scholars are interpreting the power and authority of the federal courts without resort to the statute law that created and established them. There is no way to change the language of statutes decades old. The complete statute law and enacted Title 28 U.S.C. is presented here for your consideration. You are again, however, cautioned not to take the issue of jurisdiction to the federal courts as they are presently constituted. The federal courts are territorial legislative courts. This means that they are administrative courts without judicial power and you are without judicial protections if you submit yourself to them. The judges of these courts are there to serve the Congress and not any of the people.

CONCLUSION

The purpose of this letter is to advise and counsel those who fear that they are being oppressed by a distant government. You will find that when you first remove the oppression caused by your own ignorance foreign oppression will subside and disappear altogether. The United States district courts are territorial and without judicial power. This has been so since the Judiciary Act of 1789. If you do not believe this to be true, I have provided the means by which you can dispute my opinion. The complete absence of any Article III district courts in 49 of the 50 states is a "judicial" disaster waiting to happen. So far, it appears that no terrorist is aware that he or she may escape prosecution for a crime of terrorism because there is only one judicial court in the United States trial court system. Past Congresses may have been able to successfully construct a complex administrative criminal law process where an accused voluntarily accepts the jurisdiction of a non-article III federal court and judge, but dedicated and emboldened terrorists may be able to destroy it in one case. Congress must immediately establish Article III courts.

My task was to determine the legitimate jurisdiction of the federal district courts in your state. I fulfilled my objective in the only reasonable manner possible; I gathered all the

statute law and enacted code law used to create the federal courts in all the states. I found only one instance in which Congress had declared that Article III was used to create the court. The one exception is the district court of Hawaii. Without exception, all the federal courts in your state are territorial. The territory that constitutes each of the judicial districts of each court is the federal enclaves within the counties of the state that comprise those judicial districts. Once the documentation for your local federal courts is reviewed and compared to the cross references provided in the government's own Title 28 U.S.C., the public deception becomes flagrant.

The occasion of Hawaii's admission to the Union in 1959 was certainly an appropriate event to establish an Article III court for the federal territory in those islands. Why has Congress not acted to create Article III courts in the remaining 49 states? The simple answer is that would have reduced its power. The more complex answer to that question lies in the need that early Americans felt to declare their independence from an unjust king. The following passage from the Declaration of Independence should teach that history repeats itself, especially, for those who refuse to learn it the first time around.

HE has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers

HE has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

HE has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

Your personal Declaration of Independence can be a simple recognition that Americans have managed to govern themselves without real federal judicial trial courts for more than 200 years.

Very truly yours,

Dr. Eduardo M. Rivera

Jurisdiction - continued

“Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities ; they are not voidable, but simply void, and this even prior to reversal.” WILLIAMSON v. BERRY, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850)

“Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but rather should dismiss the action.” Melo v. U.S. 505 F 2d 1026

“There is no discretion to ignore lack of jurisdiction.” Joyce v. U.S. 474 2D 215

“The burden shifts to the court to prove jurisdiction.” Rosemond v. Lambert, 469 F 2d 416

“Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted.” Latana v. Hopper, 102 F. 2d 188; Chicago v. New York 37 F Supp. 150

“The law provides that once State and Federal Jurisdiction has been challenged, it must be proven.” 100 S. Ct. 2502 (1980)

“Jurisdiction can be challenged at any time.” Basso v. Utah Power & Light Co. 495 F 2d 906, 910

“Defense of lack of jurisdiction over the subject matter may be raised at any time, even on appeal.” Hill Top Developers v. Holiday Pines Service Corp. 478 So. 2d. 368 (Fla 2nd DCA 1985)

“Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted.” Lantana v. Hopper, 102 F. 2d 188; Chicago v. New York, 37 F. Supp. 150

“Once challenged, jurisdiction cannot be assumed, it must be proved to exist.” Stuck v. Medical Examiners 94 Ca 2d 751. 211 P2d 389

“Jurisdiction, once challenged, cannot be assumed and must be decided.” Maine v Thiboutot 100 S. Ct. 250

“The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings.” Hagans v Lavine 415 U. S. 533

Though not specifically alleged, defendant's challenge to subject matter jurisdiction implicitly raised claim that default judgment against him was void and relief should be granted under Rule 60(b)(4). Honneus v. Donovan, 93 F.R.D. 433, 436-37 (1982), aff'd, 691 F.2d 1 (1st Cir. 1982)

Kocher v. Dow Chem. Co., 132 F.3d 1225, 1230-31 (8th Cir. 1997) (as long as there is an “arguable basis” for subject matter jurisdiction, a judgment is not void)

Stoll v. Gottlieb, 305 U.S. 165, 171- 72, 59 S.Ct. 134 (1938) (“Every court in rendering a judgment tacitly, if not expressly, determines its jurisdiction over the parties and the subject matter.”)

Notes: _____

Disclaimer

For the record – this author is not a BAR attorney. The information contained in this writing is for educational purposes only. Nothing set forth herein is intended to be legal advice or able to be construed as such. This information is private in entirety and non-negotiable between the parties.

This presentation is designed to provide information with regard to the subject matter covered. It is provided under the understanding that the author is not engaged in rendering legal, taxation or other professional services. If legal or other expert assistance is required, the services of a competent professional should be sought.

You are urged to read all the material, go outside this document, research and learn as much as possible about the issues and to tailor information to your own individual needs.

Every effort has been made to make this information as complete and accurate as possible. However, there may be mistakes both typographical and in content. The information has been gathered from many sources, the reliability of which cannot be guaranteed.

The intent of the author in sharing this information is to further the causes of freedom, understanding, and pursuit of happiness in accordance with such timeless principles as: *“Know the truth and the truth shall make you free.”* and *“He who helps others helps himself”* and the Declaration of Independence (1776). The author shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to be caused, directly or indirectly by the information contained herein.

While the author believes everything in this writing is moral, legal and ethical, I do NOT purport to be either an ‘attorney’ or specialist regarding state legal and regulatory codes in the location(s) where you might be domiciled. I cannot, therefore, try to interpret the myriad state and local variations on laws, statutes,

regulations and the like, on your behalf. That task is up to you.

We must remember that the United States’ courts today are not courts of law. They are courts of colorable law and it is imperative that we know how to discharge said liabilities through the correct form – the Uniform Commercial Code. Should you get drawn into “their” forum you must play by “their” rules.

Another example of colorable law: Recently the supreme Court ruled that it is not unlawful for law enforcement agencies to set up road blocks and stop all vehicle in order to determine if the driver is driving under the influence of alcohol. (99-1030) Obviously such a ruling would not come out of a court of law. Such a ruling is completely contrary to the Fourth Amendment.

Also, the author has gone all out to be respectful of gender. There are times in this writing where it is not practical to be “politically correct.” This author does not desire to offend anyone.

Notes: _____

Appendix A

Affirmative Defense:

The following situations are examples where a natural person might enter what is referred to as an affirmative defense. (Affirmative Defense? See Federal Rules of Civil Procedure, Rule 8(c) and compare to UCC 1-103.)

The person accused (one should never answer as or refer to themselves as a “defendant” as only defendants go to jail – and, unless I missed it, the word/term “defendant” is not used anywhere in the Constitution, the word/term “accused” is) say: *“If the government says I owe it, I probably owe it; but the government put me in this situation by taking away my gold and silver and leaving me with nothing but colorable negotiable instruments, Federal Reserve Notes, to.... “*

“ ... I did what I did so without prejudice under UCC 1-207”

In another case:

Judge: “You were driving on such-and-such road, right?”

Accused: *“If I was, I did so without prejudice under UCC 1-207”*

And here is an example of COURTROOM TECHNIQUE using the UNIFORM COMMERCIAL CODE

Accused: *Your Honor, there is a question I would like to ask before I can make a plea of innocent or guilty. I think it could be answered if I could put the officer on the stand for a moment and ask him a few short questions.*

Judge: I don't see why not. Let's swear the officer in and have him take the stand.

Accused: (to police officer) *Is this the instrument that you gave me?* (...handing him the traffic citation)

Officer: Yes, this is a copy of it. The judge has the other portion of it.

Accused: *Where did you get the address that you wrote on this citation?*

Officer: Well, I got it from your driver's license.

Accused: (Handing the officer your driver's license) *Is this the document you copied the name and address from?*

Officer: Yes, this is where I got it.

Accused: *While you've got that in your hand, would you read the signature that's on that license?*

(The officer reads the signature)

Accused: *While you're there, would you read into the record what it says under the signature?*

Officer: It says, 'Without prejudice, UCC 1-207'

Judge: - Let me see that license! (He looks at it and turns to the officer) -You didn't notice this printing under the signature on this license, when you copied his name and address onto the ticket?

Officer: Oh, no. I was just getting the address -- I didn't look down there.

Judge: You're not very observant as an officer. Therefore, I'm afraid I cannot accept your testimony in regards to the facts of this case. This case is dismissed.

In this case, the Judge found a convenient way out - he could say that the officer was not observant enough to be a reliable witness. He did not want to admit the real nature of the jurisdiction of his court. Once it was in the record that you had written *“Without prejudice UCC 1-207”* on your license, the Judge knew that he would have to admit that:

- You had reserved your common Law rights under the UCC;
- You had done it sufficiently by clearly / legibly writing: *“Without prejudice UCC 1-207”* on your driver's license, in black

color, under your signature with something like a fine point permanent marker pen;

- The statute you are accused of violating would now have to be read in harmony with common Law, and common Law says the statute exists, but there is no injured party; and
- since there is no injured party or complaining witness, the court has no jurisdiction under common Law.

If the judge tries to move ahead and try the facts of the case, then you will want to ask him the following question:

Your Honor, let me understand this correctly... has this court made a legal determination that it has authority under the jurisdiction that it is operating under, to ignore sections of the Uniform Commercial Code that have been called to its attention?

If he says yes, firmly and politely tell him that you put the court on notice that you will appeal that legal determination, and that if you are damaged by his actions, you will sue him in a common law action - under the jurisdiction of the UCC and that you'll make sure his/her bonding company is made aware of his/her action, and then stand mute.

More examples:

In a criminal matter you are accused of something specific and "they" have to make "their" case. From the moment you hear the words: *"You are under arrest."* Know and understand the next statement that "they" say: *"Anything you say can and will be used against you ..."* (Miranda Rights statement) this is supremely important! Anything you say most likely will be used against you. I have seen police officer training. I have seen prosecutor training. The best advise is to keep you mouth shut. You don't have to answer any questions regardless of what "they" say. You are on your way to jail regardless of anything you may now say anyway – get use to it. For all of the time

you are in custody "they" are looking for something, anything they may use against you. And "they" will use it. You've heard stories and seen the TV shows about things like this, jailhouse snitches, hidden cameras and microphones in cells and interrogation rooms. If you think this is about fun and games I suggest you think again. You probably shouldn't have done the whatever that got you to this place but it is too late for that thinking now. Keep quite. If they want to strip search you tell them that it is against your religious beliefs to disrobe anywhere other than in your home, privately. Most likely "they" will respect this, if they don't the First Amendment folks will be all over them. Don't talk to your cellmate. Don't request any councilors; if you do feel you need medical attention don't hesitate to ask. And remember you don't need to bargain for anything. You have the right to an lawyer/attorney. Once you say you want one "they" cannot go further until you get one. It is to your advantage not to talk in "their" presence with your lawyer and to say very little to your lawyer while you are in custody. Silence is golden – anything else is not. Go for the gold! They can only hold you for so long, generally 48 hours, without a hearing before a Judge. Remember that while you are in custody you are only accused. At the hearing (arraignment) the Judge is going to ask you questions – stay silent – even if "they" have your name do not respond. Stand mute. The Judge has to enter something and most likely he/she will enter "John Doe" for your name, its OK. The Judge is going to ask how do you plead – guilty or not guilty. Logic: you say "guilty" it's all over. You say "not guilty" and now you have to prove it. Of course "they" have to prove you guilty but you have just accepted their charge and entered into an agreement with them and now that agreement has to be fulfilled. If you have kept silent till now you are doing great! The Judge has to enter something, either "guilty" or "not guilty". If he/she enters "guilty" he/she has violated your due process and it won't fly. He/she knows this and most likely will enter a plea of "not guilty" for you. Let the ink dry – but before he/she says "next" say: *FOR THE RECORD: Is that [not guilty] a judicial or an administrative ruling?* The Judge has to respond with whatever - and then you have "em." Either

way the ruling is that you are “not guilty” – it is “their” call not yours. So it is time for “them” to release you, case closed. Say little, if anything at all – you’re not free yet. If “they” start giving you any static stand your ground – if they get mean just ask if the Judge is going to reverse the ruling. Start mentioning the ACLU, NAACP if applicable, and that you intend to bring this to the attention of their bonding agency. If the Judge starts talking contempt ask what you might do to avoid contempt charges and then tell him/her that you’ll do it without prejudice pursuant to UCC 1-207. “They” are not going to be happy about this situation – you just beat them. “They” cannot charge you again for the same offense (double jeopardy), but “they” can charge you with something else. Your objective is to be released from custody without incident. Remember you may have just been ruled “not guilty” but you are not out of custody until you are. So keep cool and silent. You can celebrate when you are out on the street – away, far away, from “them”.

--- ... ---

Some bantering that you may do before “they” arrest you...

Police: Sir/Mam, it appears that you did this or that or such and such.

You: It may appear that I did what you say but I can assure you that it isn’t true.

- *I may have had my hand in the cookie jar because there was a fly that I wanted to remove.*
- *From your perspective my hand may have looked like it was in the jar, however it was on the outside of the jar.*
- *The cookie jar was on its side and I was attempting to right it.*

Points to remember: you want to avoid being arrested not evade being arrested; you want to offer the police officer person a plausible reason as to why they needn’t arrest you. Consider that an arresting officer has to work because of an arrest. There is paperwork, court appearances,

etc. Human inclination is not to do more than necessary. Also, he/she is going to consider whether or not the prospective charges against you are going to stick. (If you are in the habit of ‘looking’ guilty you may want to consider an acting class to help you understand how you present yourself.) Present yourself well, be respectful and the odds are in your favor that you’ll be free to go. Put up an ‘attitude’ and you’re going to fall. Curse the system latter. Dislike police/law/authority in private. Police deal with public matters.

Notes: _____

Appendix A Extras:

The following responses may be appropriate:

“If it appears that I am ‘a resident’ / ‘a citizen’ / ‘an employee’ it is without prejudice...UCC 1-207”

(Remember, these Titles of Nobility (employee, resident, citizen) do not, in themselves, make you, a natural person, American national, subject to government servitude; remember, it is the things that automatically come along with such a title, the benefit and privileges that make you subject to the State and Federal government.)

This may apply...

“...you have put me into this position under duress. You tricked me into a contract (or agreement of some kind) that I didn’t understand. And you forced me to sign it by coercion. At the time I didn’t have any idea as to what I was doing, didn’t have a choice, and/or enough information to act on knowingly and willingly, and I completely made a mistake.”

Expose the government! Show how the use of misleading words and phrases have caused you to make a mistake...

“...As a supposed representative of the corporate State of (– your state –) you have a responsibility to tell me of any pending responsibility on my part; and to inform me of all of the terms of any agreement you present me. UCC 3-305

They also try to trick you. If the situation turns to where the judge threatens you with contempt of court and says something like: “...if you persist in this manner I will find you in contempt of court and/or put you in jail.” It may be to your advantage to make the following statement:

“On the record: Okay, I will pay the ticket / fine / whatever (or sign the document) under threat, duress, coercion and protest pursuant to UCC 1-207 ...If I have to pay you / sign this now I am reserving my right to sue you later. Also I take

exception to your command and reserve all my rights. And you can be sure that your bonding agency will hear of this.”

First: You put it on the record and you reserved your RIGHTS under UCC 1-207;

Second: You let him/her know that you are serious – now keep your mouth shut. You may be baited to say more, if you do you may be on your way to trouble. You can say something like: ***...and further I sayeth not and I stand mute.***

--- ... ---

In a commercial court there is the simple scenario:

When your case is called:

To the Judge, from outside the courtroom bar, speak clearly, loud enough and say: *ON the record, may I have your name...*

(Judge’s name – not title), *Do you have claim against me?*

(Judge’s name – not title), *Do you know of anyone (not anybody) who has a claim against me?*

(if Yes – you say: *I request / demand that you / they be sworn in and testify under oath as to the actual damage stated in the claim that you / they are pressing.* If you get a response like: “The State of Texas... (blah, blah, etc.)” – then request that the State of Texas itself take the stand. And stand mute until it does.)

No response from them, or after a time, you say: *There are no claimants who have sworn in today, under penalty of perjury, with a first hand damage claim against me.*

You then say: *I request the Order of the court be released to me immediately.*

You then say: *It appears as though this public business is finished. Since there is no further public business for me to carry on, I am leaving.* Start walking and don't look back. Should the Judge give you any static just begin the sequence again and be mindful as to not to do anything the Judge tells you to do (including such seemingly innocent things like "stop", "come here", "come back here") lest you begin a new contract/agreement with him/her and that will probably get you in trouble.

Practice on these things before they are needed. In the time of peace prepare for war. To some this may be against what they are taught – consider public education today is meant to cause the student/attendees to conform rather than to confront – perhaps this is why it is referred to as school-daze. It probably goes against what your parents taught you as well.

This author presumes you are well along enough in life to stand up for yourself. Remember this presumption will stand as truth unless it is rebutted. Are you going to agree with me?

Notes: _____

Notes: _____

Appendix B

Now, here presented, is the 'big-bang' for you to know about.

"It is an established fact that the United States Federal Government has been dissolved by the Emergency Banking Act, March 9, 1933, 48 Stat. 1, Public Law 89-719; declared by President Roosevelt, being bankrupt and insolvent. H.J.R. 192, 73rd Congress in session June 5, 1933 - Joint Resolution To Suspend The Gold Standard and Abrogate The Gold Clause dissolved the Sovereign Authority of the United States and the official capacities of all United States Governmental Offices, Officers, and Departments and is further evidence that the United States Federal Government exists today in name only.

The receivers of the United States Bankruptcy are the International Bankers, via the United Nations, the World Bank and the International Monetary Fund. All United States Offices, Officials, and Departments are now operating within a de facto status in name only under Emergency War Powers. With the Constitutional Republican form of Government now dissolved, the receivers of the Bankruptcy have adopted a new form of government for the United States. This new form of government is known as a Democracy, being an established Socialist/Communist order under a new governor for America. This act was instituted and established by transferring and/or placing the Office of the Secretary of Treasury to that of the Governor of the International Monetary Fund. Public Law 94-564, page 8, Section H.R. 13955 reads in part: "The U.S. Secretary of Treasury receives no compensation for representing the United States?"

Gold and silver were such powerful money during the founding of the united states of America, that the founding fathers declared that only gold or silver coins can be "money" in America. Since gold and silver coinage were heavy and inconvenient for a lot of transactions, they were stored in banks and a claim check was issued as a money substitute. People traded their coupons as money, or "currency." Currency is

not money, but a money substitute. Redeemable currency must promise to pay a dollar equivalent in gold or silver money. Federal Reserve Notes (FRNs) make no such promises, and are not "money." A Federal Reserve Note is a debt obligation of the federal United States government, not "money?" The federal United States government and the U.S. Congress were not and have never been authorized by the Constitution for the united states of America to issue currency of any kind, but only lawful money, -gold and silver coin.

It is essential that we comprehend the distinction between real money and paper money substitute. One cannot get rich by accumulating money substitutes, one can only get deeper into debt. We the People no longer have any "money." Most Americans have not been paid any "money" for a very long time, perhaps not in their entire life. Now do you comprehend why you feel broke? Now, do you understand why you are "bankrupt," along with the rest of the country?

Federal Reserve Notes (FRNs) are unsigned checks written on a closed account. FRNs are an inflatable paper system designed to create debt through inflation (devaluation of currency). Whenever there is an increase of the supply of a money substitute in the economy without a corresponding increase in the gold and silver backing, inflation occurs.

There is a fundamental difference between "paying" and "discharging" a debt. To pay a debt, you must pay with value or substance (i.e. gold, silver, barter or a commodity). With FRNs, you can only discharge a debt. You cannot pay a debt with a debt currency system. You cannot service a debt with a currency that has no backing in value or substance. No contract in Common law is valid unless it involves an exchange of "good & valuable consideration." Unpayable debt transfers power and control to the sovereign power structure that has no interest in money, law, equity or justice because they have so much wealth already."

There's more – check it out by reading the United States Congressional Record, March 17, 1993 Vol. 33, page H-1303.

Appendix C

COMMERCIAL LAW

A phrase used to designate the whole body of substantive jurisprudence (*e.g. Uniform Commercial Code, Truth in Lending Act*) applicable to the rights, intercourse, of persons engaged in commerce, trade or mercantile pursuits. Black's Law Dictionary, 6th edition

Fundamental principles of human interaction concerning proof of claim (*dispute over title*) and resolution of disputes.

Over the millennia these principles have been codified into ten (10) fundamental maxims. Every legal issue and dispute possible is a function of one or more of these principles. The UCC is a particular codification of Commercial Law, oriented towards the contemporary legal, financial, monetary, and banking system. The entirety of world commerce now functions in accordance with the UCC-version of Commercial Law. The foundational maxims of Commercial Law are:

1. A work person is worthy of their hire.
2. All are equal under the law (moral and natural law).
3. In commerce truth is sovereign.
4. Truth is expressed in the form of an affidavit.
5. An un rebutted claim, charge, or affidavit stands as the truth in commerce.
6. An un rebutted affidavit becomes the judgment in commerce.
7. All matters must be expressed to be resolved.
8. He who leaves the field of battle first loses by default.
9. Sacrifice is the measure of credibility (one who has not been damaged by, given to, lost on account of, or put at risk by another has no basis to make claims or charges against him/her).

A lien or claim can be satisfied only through rebuttal by counter-affidavit point-for-point, resolution by jury, or payment.

COMMON LAW.

System of jurisprudence, which originated in England and was later applied in the United States, that was originally based on the procedures developed by free, sovereign, allodial landowners to resolve disputes over land, such as borders and ownership. After the Norman Conquest of 1066, "common law" came to be based on judicial precedent (*court decisions*), which were increasingly absorbed into the Crown. By such means, what is called "common law" in name became increasingly Roman Civil Law. True common law is completely independent of all governmental involvement. All governments are variants of Roman Civil Law, the law of kings, princes, and rulers. Nevertheless, common law remained based on transmitted, established principles rather than legislative enactment (*statutes, statutory law, codes*). Great care should be used concerning the precise manner in which the term, "common law," is defined, understood, and used. One should ascertain the implication of the words, *e.g.* "what law is common where and to what?" Traditionally, in the absence of statutory law regarding a particular subject, the judge-made rules of common law are the laws on that subject. Thus the traditional phrase "at common law" refers to the state of the law in a particular field prior to the enactment of legislation in that field.

TITLES OF NOBILITY

A "title" is a mark or designation, i.e., name by which anything is known. In English law "nobility" is a division of the people.

In America, Titles of Nobility generally refer to government created designators such as citizen, driver, taxpayer and the like. While they may not appear to be "noble" they are created, never the less, to divide the populace.

Appendix D

On the question of “patriot”

A dictionary definition of the word “patriot” reads: *A person who loves and loyally or zealously supports his/her own country.* Now this author suspects that this definition is open to interpretation as just to who these days qualifies as a “patriot.” Could it be the person who works to achieve an understanding and establishing of self and placement in the world or one who works for the preservation of the status quo? I hope by now you realize that you can’t have it both ways. As it is said: the forces of evil are always upon us. It is the strong and enlightened who stand against tyranny and oppression for they are fortified with truth. Here in Texas we say that the only things in the middle of the road are yellow stripes and dead armadillos. Remember the free-will concept mentioned earlier? You have, as we all do, a choice – the question now is: With all of this newfound knowledge, what are you going to do?

Consider doing the redemption process. Until you have accomplished the redemption process you have no status in court. Upon filing the proper paperwork you change from being a “debtor” to being a “creditor.” Creditors have standing in court. Creditors can’t be beat!

Learn how to use the UCC properly and correctly, then, whenever you receive a government presentment you can do an *Accepted For Value in accordance with UCC 3-419 and HJR 192 of June 5, 1933* and give it back to the person / agency who presented it to you. (traffic ticket = presentment / police officer = presenter) The “redemption process”? It is beyond the scope of this document to explain this further.

**Please see the attached letter and
discover how you can begin to
recover what is rightfully yours**

Or visit:

<http://aware.in-austin.com/>

(correct address)

What's in a name? Very simple: **A name is CREDIT.** For any unauthorized person to use your Name or the strawman's name (when they do not own the title to the strawman) is to violate the laws of “slander of credit”. Once you have redeemed the strawman and own him, then any further commercial process done by any person (like an attorney, a judge, or law enforcement officer without your consent) is slander of credit against your strawman. This is a federal criminal securities violation that means, possibly, prison for them.

Until you redeem your strawman (the DEBTOR) with a UCC-1 filing and become the secured party (the CREDITOR) the living soul, your strawman is the source of credit for the UNITED STATES to the public affairs of the nation through the “pledge” or gift of your property (your body and energy) to “them” for their use.

Notes: _____

[illegible]

Appendix E

Miscellaneous about the Government

Here are some select Internet references for interesting reading and ‘their’ point of view:

www.ustreas.gov/
United States Department of the Treasury

www.usps.com/
United States Postal Service

www.consumer.gov/
Resource for consumer information from the
Federal Government

www.secretservice.gov/
United States Secret Service

www.occ.treas.gov/
The Office of the Comptroller of the Currency

www.whitehouse.gov/
The White House

One is well advised to obtain and understand as much about an issue as can be found. This author does not claim to have all of the information, nor does he desire to be set-up as an authority/guru. As a self-directed scholar with wide-ranging interests I look upon the world and attempt to digest what is seen and experienced with the juices of past experiences. I have come to identify and know several basic aspects of human performance:

- It is much easier to withhold something initially than to make an attempt to take it away once given.
- It is much easier to seek forgiveness than permission.
- It is very easy to fall into the “that’s-the-way-its-[always]-been-done” trap.
- “You do it this way because I say so.”

I'm sure the reader can offer several more. The point here being: in the course of human affairs things happen. By maintaining a consciousness (an awake-ness) about what is happening one can make better (in) formed decisions as to whether or not to participate. They (whoever

“they” may be) have the “volume” turned up to a deafening roar and the “beat” to an unknown-till-now tempo and as such most of us are “dancing as fast as we can.” Question is: – just how long can we survive this way? At the party, an “aware” person notices that the partygoers are seemingly having a great time while knocking themselves out. The D.J. and the organizers are just going through the motions until it’s all over. Then they pick up their stuff and go home. The party attendees stumble home and suffer a handover the next day while wondering what happened – and, as they’ve done so in the past, they are liable to do it again – til they just don’t do it anymore. The Buddha says: “...one goes around till they drop out.”

A bit metaphorical? - Perhaps. Analogous? - You bet! Give it a thought, or two, assign named players according to your experience and see how it runs for you.

Notes: _____

[illegible]

Appendix F

Social Security Number – You Ask?

Section 7 of Public Law 93-579 provides that: *It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.*

Federal courts have ruled the Privacy Act applies equally to the private sector.

Discover - there is no law requiring an individual to obtain or use a social security number.

A requirement and/or demand that you provide a social security number is a violation of one or more of the following laws / statutes:

4 CFR 83.9

5 USC Sec. 552a

7 CFR 1.123; 7 USC Sec. 2204g

14 CFR 1212.604

17 CFR 249.501a

19 CFR 118.11; 19 CFR 122.25; 19 CFR 24.5

24 CFR 5.212

28 CFR 16.53; 28 CFR 513.31; 28 CFR 700.25

29 CFR 70a.10; 29 CFR 71.12

31 CFR 1.32; 31 CFR 501.806

32 CFR 270.19; 32 CFR 310.20; 32 CFR 311.5; 32 CFR 316.6; 32 CFR 317.20; 32 CFR 323.5; 32 CFR 505.2; 32 CFR 701.108, 32 CFR 806b.9

38 CFR 1.575; 38 CFR 3.216, 38 USC Sec. 5101

39 CFR 266.4

45 CFR Part 801

47 CFR 0.554

49 CFR 10.29

Check these references for yourself.

End

I hereby end with this simple fact. The government is a corporation. You cannot join unequal entities in law, thus a artificial person (corporate entity) had to be created which is represented by your name in legalese (straw-man) as a transmitting utility. There is no way around this. Attorneys, judges, etc and their sympathizers only rule the system through force. They can lock you up and they may choose to ignore common law but can they rebut the facts?

There are those who will say that ‘most everything contained in this writing is not true – the stuff we here in Texas see on the ground after a bull has passed. Throughout my life I have seen an almost bewildering array of defenders, lackeys, shrills, and the like, who ‘beat the drum’ for various causes. For what reasons? Are they fearful that what they have may be taken from them? Noticed a u.S. Senator say that they (Congress) *had to be very careful about what rights they might take away from Americans* – I couldn’t believe what I had heard but he’d said it never the less. Could this be the attitude today? The Constitution is very clear in its writing and either it is the basis document from which all else flows or it isn’t. I don’t believe we can have it both ways.

We all have the power. It is us who are “We the People...” Of course there are those who want us to think differently.

There are those who want us to believe that drinking chlorinated and fluoridated water is fine for our health. Before this author’s inquiry into material related to topics in this writing I spent many years looking at issues of health and well-being as they relate to (what may be termed) the human animal on this planet. The proponents of chlorinated and fluoridated drinking water include public health officials and “they” will tell you that their product is safe and OK to use. I say that “they” do a great job (generally) delivering water that is clean and potable to the faucet in your home – and that is where “their” responsibility ends and yours begins. Why do “they” chlorinate water? To kill living organisms that may be in the water. This author knows of no mechanisms in the body that de-activates the chlorine (The chlorine is the same as in the bleach product you may use in your laundry. They generally add ammonia to stabilize the chlorine and a couple of other chemicals as well.) The fluoride added is a waste product of the aluminum industry. A lot of controversy over the years about fluoride and what it comes down to is this: Is it a form of medication or is it not? Those who think that it is a form of [mandated] medication and care not to participate choose alternative sources of water. Those who choose to eliminate chlorine and fluoride from their life will tell you they feel the better for it. And this author believes that to be true. You may choose to continue drinking contaminated water.

This could go on and on... should you believe that there are no benefits in nutritional supplementation then go on about your way from those who feel that there is validity in such. (Know this: the current RDA (Recommended Daily Allowance) was dreamt up by a couple of aids to then u.S. Senator George McGovern in the early 1960’s.) If you feel that your religion is better than someone else’s that is your prerogative. (May Allah be praised ... or is it Jesus... could it be Vishnu, Zeus or Budda?) And if you feel that your team is superior to others then by all means stay true to your cause – eat cheese, drink their beer or whatever.

As individuals we can and do have choice, and we have power. As a society do we need laws? If we answer yes then should the laws be uniform and equal? And should we all be equal in law until we choose to be otherwise? I hope by presenting the information that I have a reader’s awareness / consciousness will be altered and ‘fertilized’ in ways that go on to promote the growth of truth and [what might be called] right action.

Your comment is welcome.

Suggested Reading:

Books this author found both interesting and useful, presented here in no particular order:

Casual Power: How to Power Up Your Nonverbal Communication & Dress Down for Success,
by Sherry Maysonave, ISBN: 1880092484 (1999)

Dress for Success,
by Victor Maxwell, ISBN: 1840300965 (2001)

Your Executive Image: How to Look Your Best & Project Success for Men and Women,
by Victoria A. Seitz, ISBN: 1580621783 (2000)

Born To Win,
by Muriel James, Dorothy Jongeward (Contributor), John Bell (Editor), ISBN: 0201590441 (1996)

The Psychology of Self-Esteem: A Revolutionary Approach to Self-Understanding That Launched a New Era in Modern Psychology,
by Nathaniel Branden, ISBN: ISBN: 0787945269 (2000)

Lying: Moral Choice in Public and Private Life,
by Sissela Bok, ISBN: 0375705287 (1999)

Parkinson's Law,
by C. Northcote Parkinson, ISBN: 1568490151 (1996)

I Know What You're Thinking: Using the Four Codes of Reading People to Improve Your Life,
by Lillian Glass, ISBN: 0471381403 (2002)

Don't Say Yes When You Want to Say No,
by Herbert Fensterheim, and Jean Baer, ISBN: 0440154138 (1975)

Humbuggery and Manipulation: The Art of Leadership,
by F. G. Bailey, ISBN: 0801494877 (1988)

Never Be Lied to Again: How to Get the Truth in 5 Minutes or Less in Any Conversation or Situation,
by David J. Lieberman, ISBN: 0312204280 (1999)

The Truth About Lying: How to Spot a Lie and Protect Yourself from Deception,
by Stan B. Walters, ISBN: 1570715114 (2000)

The Screwing of the Average Man,
by David Hapgood, ISBN: 0-385-00589-X (1974)

Positioning: The Battle for Your Mind,
by Al Ries, Jack Trout, ISBN: 0071373586 (2000)

The Manipulators,
by Robert Sobel, ISBN: 0-385-08526-5 (1976)