Lee Brobst Menu

U.S.A. The Republic

Is The House That No One Lives In

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Introduction

Our **Republic** is now celebrating the 200th birthday of the **Bill of Rights** to our **Constitution.** Through the wisdom of a few free - thinking men, we have come incredibly far in 200 years. Our nation has been blessed with prosperity more than any other in world history. The technology in this country compares with no other. Our leadership in world politics and economics has no rival. Yet, all this has happened outside the *"house"* our predecessors on this continent designed and built.

This fantastic and majestic political building, which our forefathers constructed with their lives and sacred honor, has fallen into disuse and now sits empty. When it was new, it was the most beautiful mansion in the world. There was nothing else like it for it was built on a foundation called the *"common law."* The walls were shaped in liberty by a unique arrangement referred to as the separation of powers and its roof was made of transparent material to let in the light of the Law. So all encompassing that it is adaptable to any people regardless of color, race, creed or religion.

It didn't crumble overnight. What took place was the result of a delusion for people would never give up liberty knowingly - only through deception. Gradually the deceptive rot took hold and, one by one, the citizens of the house called a *"Republic"* moved out for a third rate structure called a *"democracy."*

Napoleon said; *"History is a fable agreed upon,"* because he knew that history repeats itself, especially when the history lessons have not been learned or remembered. Thus our history lessons have fallen into disrepair. Our forefathers founded this nation because they believed they had a God-given Right to walk away from enslavement to the King. Yet, the very bondage they walked away from has opened the door for the most subtle slavery this world has ever known. So subtle is this slavery that the citizens are entrapped by their own ignorance through offers of enticements called economic benefits. Acceptance of these benefits sets into operation rules and laws that operate outside the Constitution and thus we have the largest and most unmanageable bureaucracy that has ever existed. A bureaucracy bogged in debt because it has taught its people that government is the provider and problem solver instead of *"one people,"* the subjects that used to live in that special mansion known as the **Republic**, lighted in Law.

The peoples freedom has been lost more because of what they haven't done than what they have done. In the pages that follow, you are going to discover why you are an economic slave and what you can do about the **U.S. of A. the Republic.** Yes, you can move back into that mansion known as the **Republic** for that is what this **treatise** is about, finding your key to liberty. Always remember that you are the only one that can take back your liberty. No one else can do it for you. You can and you must act independently of the masses. You and the Law are capable of awesome accomplishments in liberty. That is why **Thomas Jefferson's** statement in the ***Declaration of Independence*** is as important today as it was in 1776,

> *"... it is their [your] right, it is their [your] duty ... to provide new guards for their [your] future security. ... and such is now the necessity which constrains them [you] to alter their [your] former systems of government."*

One man with the Law is a majority.

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Divine Right Of Kings

Human enslavement has taken all sorts of forms since the beginning of time. The most insidious form is when one individual, such as a king, claims that **God** gave him the right of enslavement. This is called **The Divine Right of Kings.** At the root of this assumed right is basic feudal slavery. The divine right the **King of England** claimed was the right to have absolute authority over every one of his subjects so they could not leave his political-religious jurisdiction. That is, the king's subjects did not have the right to expatriate, according to his assumed divine right over them.

The **American Revolution** of 1776 was the result of individuals who believed that the King did not have the right to prevent the people from leaving his political-religious jurisdiction. The **Revolution** was fought over liberty of choice. Our **Constitution** is the political document that resulted from that struggle and it guarantees our liberty to choose the political domain we want to be controlled by without compelled performance. Therefore, if we want to move from one political jurisdiction to another, we are guaranteed that right - called **expatriation.** We are guaranteed the right to change our political territory any time we desire.

Few are aware today that their political choice has been made for them, and it is a political choice that has taken away their absolute rights under the Constitution and its first ten Amendments, the **Bill of Rights.** They are unaware that they were given at birth an economic privilege of an alternative political domain - allowed by the Constitution, but operating outside of it. An alternative domain that operates with the same **Divine Right of Kings** as did the **King of England**. Thus, the Constitution is operating in an economic capacity rather than a political one.

When we ponder why our nation is in the midst of an economic crisis like we have never seen before, we cannot understand it is the result of our ignorance. Ignorance of how our silence has given our federal government and its political subdivisions (called *"States"*) permission to tax its people without representation and confiscate their property when they do not go along with the Codes and laws - especially the tax laws. Ignorance that has allowed

our federal government and its political subdivisions to compel us to perform to laws that are destroying our business by exacting a fee - like a protection racket - for what should be a right.

Instead, our absolute rights are now relative privileges, handed out like food in a concentration camp. Instead of being able to stand as an individual for what you believe, every special interest group has become our conscience. **Laws** and **Codes** by the hundreds are feudalizing the will to produce from the soul of each person by making him pay for the failures, inefficiency and greed of others - called limited liability. And still more laws are teaching citizens of all ages that someone else - **Uncle Sam** - is responsible for us from cradle to grave.

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Communalism Raises Its Ugly Head

The world has always been filled with people with good intentions. Unfortunately, it seems that the majority of those well-intentioned individuals end up trying to convince the rest that their idea is the best. The extreme in some countries results in a dictator, while in the **United States** there developed **democracy** with its ever present special interest groups dictating the conscience of the masses. Yes, more problems are caused when good intentions become compelled performance. As many are aware, *"the road to hell is paved with good intentions."* The result is always a loss of individual liberty of conscience.

In the beginning, **America** was a free **Republic** with vast unsettled wilderness open for anybody who had the courage to take up its challenges. Thus, **America** became the melting pot for religious and social ideals and experiments. Of the many social theories espoused throughout Europe then, there were three theories that fit the mold for America, all three were communatarian (communistic) in nature. The first communatarian idea was set up by the religious sects made familiar by the **Puritans, Quakers, Shakers, Rappites,**/1**Zorities**, etc.. The second communatarian idea was established by **Robert Owen** of **Great Britain** who was born in 1771, and the third communatarian idea was of **Charles Fourier** of **France** who was born in 1772. Both **Owen** and **Fourier** experienced the vast upheavals that accompanied

the **French Revolution** from the onslaughts of **Napoleon.** As a result of the slaughter, **Owen** and **Fourier** came up with communatarian plans to transform the crises-warped society of the 19th century into a more humane order.

In 1812, **Robert Owen** published a paper titled: *"A New View of Society"*.

His **treatise** discussed the formation of the human character, and he proposed ways of changing society from what he called the poor working classes:

> *"... the society of the poor were trained to commit crimes' the later resulting in punishment. The rest of the population was instructed to believe, or at least to acknowledge, that certain principles are unerringly true, but to act as though they were grossly false. The result was filling the world with folly and inconsistency making society a scene of insincerity and counter action. In this state the world has continued to the present time; its evils have been and are continually increasing and if we longer delay, general disorder must ensue."*

Owen suggested that the governing powers of all countries should establish rational plans for the education and general formation of the characters of their subjects. Plans must be devised to train children, which would be taken from their parents at the age of two years, to prevent them from acquiring false-hoods and deception, and their labor must be usefully directed upon the communatarian view rather than the individual. One of his favorite phrases was *"train the young collectively."*

Owen deplored private property and he blamed the world's problems of ignorance and selfishness on it. He also disliked commercial competition. *"It creates civil warfare, it exploits the many and gives to a few favorable individuals which is injurious to the mass."***Owen** said, *"Without equality of condition, there can be no permanent virtue or stability of society."* **Owen** laid plans for **Associations of All Classes of All Nations** with a purpose of *"founding as soon as possible, communities of United Interest."* **Owen** wanted to terminate the distinction between the rich and the poor, thereby creating a millennium. **Owen** proposed not only a national system of education, but also public works projects designed to guard the unemployed against the mis-educative effects of enforced idleness. He was determined to set up a

commune he envisioned, and he decided **America** was the ideal location.

Owen's ideas were put to the test when he established his commune called *"New Harmony"* in 1825. In a letter to a **Quaker** leader, **William Allen, Owen** reveals more of his ideals.

> *"The United States, but particularly the States west of the Allegheny Mountains, have been prepared in the most remarkable manner for the New System. The principle of union & cooperation for the promotion of all virtues & for the creation of wealth is now universally admitted, to be far superior to the individual selfish system & all seem prepared or are rapidly preparing to give up the latter & adopt the former. In fact, the whole of this country is ready to commence a new empire upon the principle of public property & discard private property & the uncharitable notion that man can form his own character as the foundation & root of all evil."*

Owen had a lot of problems from the start. A major problem was poor production. The low level of production was caused by the lack of trained and competent foreman, supervisors and skilled craftsmen. His plan for equality was failing from the start because those who were trained could go work in the open market and receive more pay. The first Constitution that was drawn was short lived because of a crisis of morale. The land of milk and honey that **Owen** promised did not materialize. Equality for all was running into trouble.

> *"No one is to be favored above the rest as all are to be in a state of perfect equality,"*

wrote a wife of one of the members of the society, but she said;

> *"Oh if you could see some of the rough uncouth creatures here, I think you would find it rather hard to look upon them exactly in the light of brothers and sisters ... I am sure I cannot sincerely look upon these as my equals and that if I must appear to do it, I cannot either act or speak the truth."*

Social distinctions and religious differences had never been as sharp as they became in the months following this brief experiment in forced and premature social unity. As the problems mounted, **Owen** and the people disbanded

one Constitution and drew up a new Constitution.

In April, 1827; the **New Harmony** experiment came to a end. However, **Owen's** influence in communatarianism continued to spread from the east as far west as Texas.

In addition to **Robert Owen's** ideas, **Charles Fourier** was developing and spreading similar concepts. **Fourier** differed from **Owen** in that the former believed in religion and private property,/2 where the latter had an opposite view.

Fourier's work was largely conditioned by an unfortunate event that took place early in his otherwise uneventful life. His father, a wealthy merchant, died and left a fortune of nearly a quarter of a million francs. However, the whole of **Fourier's inheritance** was lost in the **French Revolution.** Because of this event, he set himself to invent system of society that would prevent the recurrence of revolution, preserve his own petit-bourgeois class, and abolish the appalling conditions of labor prevalent everywhere. (Has a familiar *"New World Order"* feel)

Charles Fourier never set a foot upon American soil, but his theories did. **Albert Brisbane** was a young American of liberal education and at the age of eighteen, he went to Europe to study social philosophy. Eventually **Brisbane** found what he was looking for in **Fourier's treatise** on *"Association,"*/3 and he promoted **Charles Fourier's ideas** and wrote extensively upon the subject.

However, if we can organize the townships rightly, so that unity of interests, concert of action, vast economics and general riches will be attained, that in spreading these rightly organized Townships, and rendering them general, a **Social Order** will be gradually established, in which peace, prosperity and happiness will be secured to all. The great and primary object which we have in view is, consequently, to effect the establishment of one **Association,** which will exhibit practically the great economics, the riches, the order and unity of the system, and serve as a model for, and lead to the founding of others.

Even though there were other social experimenters, **Owen** and **Fourier** had the greatest influence on the leaders of the U.S.A. and the corporate special interest groups. This influence figured heavily in the formation of the ***Limited***

Liability Act of 1851, the ***Civil Rights Act*** of 1866, and the ***14th Amendment*** of 1868. It was these legislative **Acts** that opened the door of the house called **Democracy**/4 that everyone moved into by ignorance.

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Democracy and Communism

It is interesting to note that **Karl Marx** and **Friedrich Engles** were devoted students of **Robert Owen.** *Communism of the Bolsheviks* was nothing new. It was incubating and maturing in non-violent form right here in the (u)nited States of America almost 100 years before Russia ever knew about it.

Today communism is believed to have been defeated as the world has turned to democracy. However, is there any difference? In the case of ***Smith v Allwright,***/5 the courts said, *"the United States is a constitutional democracy."* In other words, the court said the United States (as distinguished from the (u)nited States of America, a Republic) is a democracy that is allowed by the Constitution, but operating outside of it.

This court case is substantiated by the following:

> *"What is futile is to puzzle ourselves as to whether the American or Russian use of `democracy' is the true or correct one."*/6
>
> *"... the first step in the revolution by the working class, is to raise the proletariat to the position of ruling class, to win the battle for democracy."*/7
>
> *"A government of Russia could not terminate its existence either by dissolution or by merger, for it was a corporation formed under **our laws,** and its corporate life continued until the law of its creation declared that it should end."*/8

Here we see the real meaning of democracy and its communal governing system. A **democracy** is the opposite of a **republic.** More on this latter. However remember, unknowingly you have been participating in a communal government to the loss of absolute liberty, but it can be restored!

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Private Law And Public Municipal Law

Let's understand the meaning of **private law** versus **public municipal law.** Private law, also called **non-positive law** and **local law,** is a term that is used to describe the principles and regulations that an individual uses to direct his or her own life. It is also called the *"law of conscience."* That is, it is your personal philosophical and religious belief system that you use to control your own life and decisions. For example, if you state that you believe that abortions are not proper, then you are verbalizing a part of your private law. If you express that you believe that it is not proper for you to own a gun, then you are again expressing a part of your private law.

Private law's only area of function outside your own conscience is in the area of **contracts.** In other words, a person will always use his personal principles of conscience in negotiating any agreement with another individual. An example of this would be the merchant who works out a contract with a company to provide items for sale in a store he owns. His reason for contracting with this particular company is because he believes the items they manufacture should be in every household for health reasons. The merchant's personal beliefs or conscience are involved in this contract as in any contract.

Private law operates outside of the Constitution under the rights of **private contract** as stipulated in ***Article I, Section 10.*** **Article I,** in its entirety, expresses all the private law that is allowed in the operation of government of the several states of the union. ***Section 8*** and ***clause 17*** of this ***Article*** states that any other private law that is necessary for operation of government for the commercial benefit of the several states of the union can be legislated. It must be remembered that ***Article I*** is not entirely private law. There is some public municipal law there. This public municipal law is for the establishment of public services for private benefit, i.e., "Post Roads and Post Offices," and the Public Laws of Obligation of Contracts, etc..

It must be understood that private law, as referred to in the Constitution, operated in the private sector as a part of negotiating bilateral contracts. Private law was never meant to operate in the public sector as a basis for controlling public policy. Our founders made that very clear. In the next section on **Roman civil law** you will be

shown how private law was made into **public policy** by entrapment to produce **compelled performance.**

Public municipal law (also referred to as **positive law** and **general law** in contrast to **private law**) is the expression of all the laws that limit government and maintain the separation of powers of the "states in this union."/9**Public municipal law** is an expression of the people limiting government for their own personal benefit and liberty. Remember, the people are the government. What powers the people do not delegate for the administration of government are kept by them. The **Public Laws** are laws that assure the people of maintaining their private rights of **bilateral contracts** separate from any government intervention. The only time that public municipal law is used actively for private purposes, in a legal sense, is when a private right has been violated and the public municipal law is used in the court to address the wrong and correct it.

> *"The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his own private business in his own way. His power to contract is unlimited. He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no such duty to the State, since he receives nothing there-from, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the State. ... He owes nothing to the public so long as he does not trespass upon their rights."*/10

As early as 1782, **Jefferson** told **Monroe** that it was ridiculous to suppose that a man should surrender himself to the state. This would be slavery, and not the liberty which the ***Bill of Rights*** has made inviolable, and for the preservation of which our government has been changed.

> [Changed from the **Roman civil law** to the **Common Civil Law**/11 - see section on **Roman Civil Law.**]

Jefferson continued and said that liberty would be destroyed anytime there is,

> *".... the establishment of the opinion that the state has a perpetual right to the services of all its*

members."/12

The term *"that liberty"* to which **Jefferson** refers is **Public Law** for private purposes and *"that liberty"* is self-evident and comes before the State and is opposite to *"the Blessings of Liberty"* in the preamble of the Constitution - which is commercial./13

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Roman Civil Law

Those who have studied U.S. History from the traditional standpoint do not realize there is a lot more to U.S. History. There is probably more about the history of the (u)nited States of America/14 that you have not been told than what you have been told. Take for example our federal government. The provisions for setting it into operation were written into the Constitution, but its present look and function are a far cry from what our founding fathers intended. What has happened to make such a difference from the original intent? In world history, religion has always been a key center for accumulating wealth while ignorance and superstition promote religion. Religion has been used by everyone from Kingly dictators to preachers to persuade people to give up everything from gold and land to their own lives. Wealth meant power and the power to get wealth was religion. The **Roman Church** discovered this early and became a "storehouse" for the money and property the people were persuaded to give in exchange for limited liability - go directly to heaven instead of hell. As the people became more educated and saw what was really behind the power of religion, the **Roman Church** fell under greater and greater criticism. This led to the development of a banking system to handle and control church wealth and take the critical focus of the church. In a nutshell, this was how the church's influence has always figured so heavily in the administration and control of world politics. The bank learned from the church about limited liability. If you could get people to borrow money beyond their ability to pay back, you could get them to keep performing on the debt (liability) without ever demanding it back, thereby, loaning out that same credit to more than one individual or company. This meant that the bank was limiting the liability of the borrower so he was not fully responsible for the debt as long as he continued

to perform by paying the interest. This way real money (gold) became credit (paper money) by loaning to more than one person. Being involved in this sort of commerce was called "private commerce." With the churches control over wealth, this private commerce became standard practice in world trade upon the sea - **private international** or **admiralty/maritime law** became known as **Roman civil law** as it began to figure heavily in the politics of every city and country it touched through international commerce.

Among the many things that were important to our fore-fathers, the one thing that stood out was to establish a government free of any relationship or influence of the private **Roman civil law** operating in and controlling public policy. It was the oppression of the **Roman civil law,** as the king and parliament dictated, that was at the foundation for seeking expatriation from **England** under the king's assumed divine right. The **Roman civil law** (also referred to as **"admiralty-maritime law"**/15 or the **"law of the sea"** as well as **"private international law"**) was the result of private church law operating for commercial purposes in the public sector. The amalgamation of church law and civil government was derived from three ingredients; **Greece, Rome** and **Christianity.** The political theory derived from the first two of these ingredients was tempered to accommodate the third. Its originators and apologists were the first Christian Emperor, **Constantine,** and the first historian of the Christian Church, **Eusebius of Caesarea.** Through his writings, **Eusebius** had once and for all established the new way to interpret history, and his followers applied the same political philosophy for over 1000 years.

Starting with **Constantine,** religious belief had come to be as important, for the state, as religious practice. **Constantine** was, among other things, a *"teacher of knowledge about God."* The unity of a threatened empire was seen to depend on a unity of religious belief among its subjects. So it was that in a theocratic society it was increasingly hard to be sure where things temporal ended and things spiritual began.

> *"Where a necessary qualification for citizenship was Orthodoxy in religious belief, it was natural that the canons of the church councils which had defined that belief should also be the law of the land. **Justinian** had decreed that **`the canons of the first four councils of the church ... should have the***

status of law. For we accept as holy writ the dogmas of those councils and guard their canons as laws.' *.... But some emperors thought themselves empowered to do likewise and to legislate on ecclesiastical or even doctrinal matters. Hence there came into existence the collections known as nomocannones in which the laws of the church and the laws of the state were set down side by side and compared, though the former always precede the latter ... The nomocanones and the commentaries of the canonists advertised the fact that church and state went together. The two were interdependent and it was generally believed that the one could not exist without the other ... In the last and apparently hopeless years of the empire's existence, there were various schools of thought about what had gone wrong. By far the most prevalent explanation was that* ***God*** *was punishing the people for their sins. This was the favorite theme of sermons in the fourteenth and fifteenth centuries ... The only hope of salvation lay in a return to the faith and practice of the pure, unadulterated Orthodox faith ..."*/16

Yes, history is being repeated even now as you read this. Guilt and self righteousness compels the alteration of public policy in more bizarre ways by the pressure of the special interest groups of the trust - and the inquisition is being repeated.

Church law first got involved with commercial ventures when the **Roman Church** started funding the **Roman Army** during the time they were fighting **Greece.** From there it was an easy transition to becoming directly involved in the civil government of **Rome** and then converting the **Roman Empire,** what was left of it, into their own commercial state. When the **Roman Church** set up their own state they became a commercial enterprise. It was from that point on that **Church law,** controlling civil government, became known as **Roman civil law.**

In simple terms, **Roman civil law** is a perversion of **private law.** That is, the conscience of **private law** was never meant to operate in forming **public policy** of government. **Private law** was always a part of establishing **bilateral contracts** and could be used in government only for setting up private commercial relations between government and corporations called **"licenses."** But the conscience of **private law** could never operate without **bilateral contracts** unless it was through

a **trust.**

With the spread of commerce, the church's influence and wealth grew. Around 596 A.D., **Pope Gregory** began a process of moving **Roman civil law** into **England.** Up until that time it had not been a part of the English economy, but **Pope Gregory** was determined to have his inspiration of **Roman law** and economy supreme there.

He [**Pope Gregory**] was inspired with the idea of converting **England** not to **Christianity,** [for the British branch of the **Catholic Church** was already there] - but to the discipline of **Rome.**/17

Moving **Roman civil law** into **England** was strictly using a commercial venture of the **mercantile Church** to take over the economy and the country and enslave its people to the **private** or **conscience law** of the Church. It was the authority and conscience of the **Roman Church** that dictated the **Statutes, Codes** and **laws** through the **King** and **Parliament** for controlling human behavior that resulted in the best economic and commercial advantage for the **Church.** Anyone who was not controlled by **Roman civil law** at that time was considered to be **pagan.** That is, if you were operating free of the **Roman civil law** - under the **common law** - you were a heathen as far as the **Roman Church** was concerned. It was their intent to enslave everyone possible to the **Roman civil law** for a commercial advantage. By the way, this **Roman civil law** was referred to as **"Black Letter Law."**/18

To see how this law is acknowledged, look up the books in which your state's Constitution and Statutes are published. What many have found is that the titles to the first volumes, that cover the **Declaration of Independence** and the **U.S. Constitution** and the **state's Constitution,** are printed differently than the titles to the volumes that cover the consolidated **Statutes** and **Codes** of the state. We are aware that in many states (possibly all) you will find the titles to the volumes that begin the **state Statutes** will be printed in **black gothic letters.** This confirms the fact the **"black letter law" - Roman civil law** - is the basis of **state Statutes** that dictate public municipal policy via **private laws** of the **trust.** It was this **Roman civil law** that had taken over all **Europe** and **England** and our founding fathers wanted nothing of it in the "commercial law system of the American states." It represented to them the most insidious form of slavery of both body and mind, that is, slavery by entrapment

through one-sided or **implied contracts** the individual never was aware he was getting into until he was hit with **compelled performance.**

Thomas Jefferson expressed this disdain of **Roman civil law** being introduced into **English common law** in 1760 by **Lord Mansfield**./19 In fact, it was this decision that sparked the **American revolution.** After this date, **Jefferson** wanted nothing to do with the **common law of England** because of the way it had been polluted with **Roman civil** (*ecclesiastical*) **law** by **Mansfield./**20

In a letter to **Dr. Thomas Cooper** in 1814, **Jefferson** goes into minute detail to show how the **private ecclesiastical law [*Roman civil law*]** got mixed with the **common law of England.** He outlines the fact that the **common law** was in **England** 200 years before **Christianity.** In describing when **Christianity** was possibly included into the common law, **Jefferson** said:

> *"If it ever was adopted, therefore, into the **common law,** it must have been between the introduction of **Christianity** and the date of the **Magna Carta.** But of the law of this period we have a tolerable collection by **Lambard** and **Wilkins,** ... But none of these adopt **Christianity** as a part of the **common law."**/*21

Yet the **common law of England** did become polluted with the **compelled performance** of **private church law** and **Jefferson's** understanding of the problem marked out the path for the new commercial system of the American states to be protected from the slavery of ecclesiastical authority dictating public commercial law (*policy*).

In truth, the alliance between Church and State in **England** has never made their judges accomplices in the frauds of the clergy; and even bolder than they are. For instead of being contented with these four surreptitious chapters of **Exodus,** they have taken the whole leap, and declared at once that the whole **Bible** and **Testament** in a lump, make a part of the **common law;** ... And thus they incorporate into the **English code,** laws made for **Jews** alone, and the precepts of the **Gospel,** intended by their benevolent Author as obligatory only for their conscience; and they arm the whole with the coercions of **municipal law.** In doing this, too, they have not even used the **Connecticut caution** of declaring, as is done in their blue laws, that the laws of **God** shall be the laws of their land,

except where their own contradict them;/22

Unfortunately, because **Jefferson** saw the tyranny of **private ecclesiastical law** dictating **public commercial policy** and **compelled performance,** he was attacked by the *"do gooders"* as being a heretic. In reality, he saw so clearly the need for separation of powers and how **Public Law** would be vital for private use to protect individual rights of the minority. Thus he stood vehemently on the ground that **private law** has absolutely no place in dictating, **public policy.** Those who opposed his views totally missed his solid **Christian principles** based on **liberty of conscience.***"The **common law** protects both opinions [both his and theirs], but enacts neither into law."* Those that did not thoroughly understand this were the first to promote their **private conscience** (*religious*) opinions into **Public Law** (*policy*) - the rope of **compelled performance** hanging us today.

> *"All honor to **Jefferson** - to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, and so to embalm it there, that today and in all coming days, it shall be a rebuke and a stumbling block to the very harbingers of reappearing tyranny and oppression."*/23

One of the most important aspects of the **common law** before 1760 was that it did not recognize **unilateral contracts** where there was no full disclosure and no meeting of the minds. The right to the **private law** of **contracting** was basic to the **common law.** However, those **common law contracts** always meant that all parties involved understood all the facts and clauses and all parties had to agree by endorsement in order for the contract to be valid. Everything was spelled out. No hidden implications or strings attached.

Roman civil law relies entirely on **unilateral** or **implied contracts.** This is where one party agrees by the simple act of accepting a benefit(s) the civil government has to offer. In other words, the individual has something offered to him that he accepts - usually an economic or mercantile benefit. The act of acceptance, with or without a signature of acceptance, comes with strings of **compelled performance** attached. This is because the very act of voluntary acceptance (by your silence) implied your

Resulting Trust

endorsement. The **implied endorsement** creates a **constructive trust**/24 arrangement with the civil government for your assumed benefit. This means the **trust** becomes the **third party** who can **dictate** the **Statutes, Codes** and **laws** by its legislature and we are compelled to align our lives with them, because of our silent volunteering. After accepting some benefit under **Roman civil law** and you discover the hidden strings that you do not like, too bad, you are bound to perform or suffer the consequence of those holding the strings. If you wrong the **trust** that you are involved with, you are assumed guilty and the burden of proof is up to you to clear yourself. Your job, under the **Roman civil law,** is to jump even when you didn't have to. Their job - the civil administrator and their courts - is to tell you how high. The **Roman civil law** is a perversion of **private conscience law** because it is placing the private conscience of one or a few over the private consciences of the masses. And it is done without full disclosure of **bilateral contracts.** This allows government to always become a superior entity to the citizen by binding him in **constructive trust** arrangements. This is why there is no separation of power, only one power and that is government. The people are subservient because they are involved in a **constructive trust** that controls their conscience and they are not even aware of it.

Take a look at the illustration of *"The Great Seal Of The State Of California."* This seal is a dramatic representation of how the **Roman civil law** is the basis of the franchise of the *"several states of the union"* granted by the people of the **Republic.** Each state has its own corporate seal and most use much of the same symbolism. Remember, under **Roman civil law** the corporate state is a **diocese of the National Church** of the **14th Amendment trust.**

Note first the seal contains a woman seated on a rock wearing a **Roman military uniform** holding both a shield and spear. This woman is the **Goddess Minerva**/25 from **Roman mythology.** This represents the authority of the **Roman civil law** founded on the rock (*church*) of **private law** of the woman (or law of changing conscience or *"e-motion"* that is not absolute law), the mother of all **private law.** The **shield** itself has the indications of **Roman symbols** denoting further private authority in the public

sector. Across the top are 31 stars that represent the 31 states in existence at the time California was incorporated as a state. This also shows the relationship with the other *"several states of the union"* who also based their **civil law** from the **Roman law.** The word: *"eureka"* means: *"I've found it."* It was an expression that has been said to have originated with **Archimedes,** a Greek mathematician and physicist. He used the expression when he discovered a method of detecting the amount of alloy mixed with the gold in the crown of the king of Syracuse. **Archimedes** also invented the **Archimedean screw** or *"water snail"* which, when rotated, would move water uphill. Because of the symbolism of the seal, it most likely represents the moving of the **law of the sea** [***admiralty/maritime law***] uphill and over to dominate the substance of the law we know as the land. Also it could be saying the same thing by expressing the fact that the substance of absolute law - gold/real property - is taken over by the emotion of **private law.** Note also the **sailing ships** in the water. This represents the **law of the sea** [***admiralty/maritime law***] as the vehicle for private commercial **Roman civil law** in the state. In the left lower area of the seal is a **miner** digging and behind him is a **sluice box.** This represents the labor and industrial control by the **private Roman civil law.** There is also **grain** in the foreground as a symbol of the control of the land and its substance called *"food."* The **bear** represents the fact that the **Republic** is still there - the **California Republic** is called the *"Bear Republic."*

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Federalism

There is no doubt about it! There is an economic advantage to individuals cooperating for business purposes and our founders recognized that fact. What they did not want was the **compelled performance** of **entrapment** by the **implied contracts** under the **private Roman civil law** operating within and between the states. Theirs was to be **civil law** based on the principles of the **general common law**/26 and its full disclosure **bilateral contracts**. It thus became referred to as: *"System of commercial law in the American states."*/27 Under our unique type of law, the government was to have no direct contact with the people - unlike the **Roman civil law.** The federal government was there basically to oversee the economic cooperation between the several states of the

union - who were foreign to each other - to provide for their common defense and to work out the commercial business of the several states of the union as they relate to each other and world trade, this being based on **public municipal law** not **private law.**

The **common law principles** that our forefathers brought with them were the basis of **public municipal law.** This means the laws are **bilateral in nature** based on a two party agreement where there is a meeting of the minds with full disclosure. Nothing is implied or hidden where one could be entrapped into **compelled performance** by a **third party trust.** The **public municipal law** was law that did not allow the private commercial government to have any relationship with the individual citizen and his right of contract. This was true separation of power.

~Private law, which the **Roman civil law** thrived on, was conscience law of one *"person"* (trust) over another without their knowing how it happened. There was no liberty of choice as to its terms. The terms of the contract or agreement (also called an *offer*) are always based on the personal beliefs of the **Roman civil government.** The *offer* is always *unilateral* where your *acceptance* is totally signified by your silence. Everything the individual got involved in under **Roman civil law** had **implications** that obligated him or her because of benefits being accepted by continued silence. There were always strings attached that were considered a benefit. The **agreement** never has definite limits. What is agreed on is only **implied** or **constructed upon the circumstances.** The **implications** of a **unilateral offer** and **acceptance** would always create a **third party constructive or implied trust.** This **trust,** being the **third party,** was always there to oversee and to exact what it thought it was due through **compelled performance** to the **rules** of the **private trust** that bound the persons who had private business dealings. There is no separation of powers. In other words, there is no way to have a true bilateral general common law contractual relationship because of the government having you in a trust relationship making your position inferior, not superior. You become the **trust** and therefore part of the government, while at the same time, the government becomes you and part of the **trust.** You end up being your own enforcer as a volunteer. This is why the **IRS** keeps telling you that taxes are voluntary. Your identity is lost in the **trust relationship** due to purely moral ideas developed outside the legal system (*because of a movement away from Law*) because it finds its chief

reliance is on the power of the magistrate.

In order to have a separation of powers, each power must have and keep a separate and distinct identity. That is, the people function as **sovereigns.** The government operates only by the powers the people, as sovereigns allow, and those powers - **Public Law for private use** - protects the identity of the people apart from the civil government. **Roman civil law** does not allow this.

The federal government that was set up in the beginning was **public commercial law,** but it was based entirely on **public municipal law** for private use. The federal government had no direct contact with the people because the people had not contracted away their Law and its separation of powers into a **constructive trust of private conscience.** The state is forbidden to interfere with the peoples lives by the constitutional mandate of ***Article I, Section 10*** which refers to there being no *"Law impairing the Obligation of Contracts."* The individual owed nothing to the state, thus the state could not interfere with personal and individual contracts between individuals. **Federalism,** without **Roman civil law** as its base (*public federalism*), could not come into Intervene with **private contracts** between two parties. However, when **federalism** is based on **Roman civil law** (*private federalism*), where both your identity and the government's are confused by the **constructive trust** arrangement, they are constantly a part of the contracts - they are the administrators of your conscience via the charitable trust. Under the **Roman civil law,** you are considered **an incompetent** [unable to handle your private affairs] so the **trust** is involved as a **third party** in all your private business affairs.

Under **public federalism** in the beginning, business and economic associations were formed for various advantages. There was no compelled performance because all relationships were based on **bilateral contracts** with full disclosure and understanding by the parties involved. When a dispute arose between parties in a state, the courts ruled on the contract pure and simple - no **Codes** involved, no implications to be explored. Likewise, when disputes arose between parties from different states, then the federal courts were the referees for helping solve the problem and the ruling was upon the contract (with jury assistance if demanded) without **Codes, Regulations** or **revised Statutes** drummed up by a **third party** overseer.

So in contrast today, the substance of **private federalism** is purely the **private law** or conscience of a private charitable trust - **private Roman civil law** of the **14th Amendment** with vested interest called *"government"* - moved into the public arena by voluntary (*silent*) acceptance of 51% of the population./28 Anytime a civil relationship is established, it is based on implied and indefinite trust principles. The result is a government that has created a third party administrative bureaucracy that spends its time making and readjusting **Codes** and revised **Statutes** that dictate **public policy.** This is in order to continue the compelled performance of the citizen (*beneficiary*) to service the **public debt** and thus promote the economic benefits of the **government trust.** The federal government has become a massive **public charitable trust** which is using in excess of 2000% of every dollar for administration and the *"ship of state"* is not staying afloat.

In fact **feudalism** (*private federalism*) is apt to appear whenever the strain of preserving a relatively large political unit proves to be beyond the economic and psychic resources of a society./29

> *"I can ... fight this Frankenstein which the **New Deal** has created and which is rapidly gobbling up every vestige of right which the people have and enjoy today ... . I feel it necessary that the Congress take some steps against this bureaucratic invasion, not only of the people's rights, but of the right of Congress and of every other legislative and judicial branch of our Government. ... **You are reducing them [the American people]** to the status of a serf."*/30

Take a look at the **Titles Of United States Code.** The last time we looked, there were at least fifty different Titles. Of the fifty, only twenty-two are **public municipal law** for private purposes. The rest are simply **private law.** That's right! **Private law** that has destroyed individualism and the family unit, creativity and the individual incentive to produce. **Private law** that has siphoned off all the wealth and natural resources of the wealthiest nation in the world, all for assumed economic benefit. What a shame?

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Two Federalisms

The **United States Constitution** starts out: ***"We the people of the United States."*** This phrase in referring to laws the commercial government of the United States used to assure a *"commercial law system in the American states,"* without operation of **Roman civil law,** except anywhere the tide ebbed and flowed. That is, the **Roman civil law** was left to operate where it always had, as a part of the **admiralty-maritime law** of the sea in the seaports.

Only the individual, as *"one people"* - declared in the **Declaration of Independence** - has the power to determine a **Republican form of government** as stated in ***Article IV, Section 4 of the Constitution*** by calling on **Public Law** for private purposes. This is why the **Declaration of Independence** was written first. It was the basis of the *"one people"* **sovereignty** which then set up the Constitution.

Before the beginning of the nation and the signing of the **Declaration of Independence** in 1776, the **Roman civil law** was well entrenched in the colonies. This is because it was the basis of the **admiralty-maritime laws** that governed commerce upon the seas internationally as well as ports of call. When our founding fathers were planning on a new nation, they understood the advantage of **public commercial law** for the economic benefit of the American states. However, they did not want any of that **public commercial law** to be adulterated with the private **Roman civil law** (*as referred to previously*) with its **unilateral contracts.** Therefore, they met behind closed doors to develop a **dual federalism** that would assure that *"commercial law in the American states"* would prosper without the compelled entrapment of private **Roman maritime law** that would inevitably continue internationally.

Indeed, the main task was to get those old centers to surrender certain prerogative; and the effect at reassuring them led to lingering ambiguities in our use of the term *"federalism."* In itself, this has to do with **treaties** (*foedera*) or alliances - the neutral use at, e.g. **Jefferson Papers,** 1:311. But there was an emphasis, in the 1780s, on the ties that connect those under **treaty** - on union and united force, as in the term ***"federal* [i.e. covenant] theology."** Federalists were, therefore, thought to stand for federal power over against the states. But in explaining their position, **Madison** and **Hamilton** labored in the

Federalist Papers to show the states they had noting to fear from this central (*federal*) power. Thus **federalism** has come, in modern parlance, to mean the division or dispersal of central power. Those who opposed a **Bill of Rights** at the **Constitutional Convention** - including, at first, **Madison** himself, who drafted and steered through the final bill - were assuming that the individual was already protected by the states' bills; that the central government could not reach the individual except through the states, which had put impenetrable barriers around individual rights./31

Thus our forefathers clarified the *"federalism"* confusion by establishing two federalisms that would exist side by side. One would be the **private federalism** that had come in with the international trade under **admiralty-maritime laws** based on **Roman civil law.** The other would be the **public federalism** of the new *"commercial law in the American states."* This federalism would be based on the **general common law** and its **sovereignty** of the individual citizen being maintained by **public laws** for the private use of the individual to conduct his business by. [**See Table 1. Dual Federalisms Compared**]

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Table 1

DUEL FEDERALISMS COMPARED	
sustained by **Erie Railroad v. Tompkins** 1938. Individual subject to the political commerce under the private law merchant.	*sustaned by* **Swift v. Tyson** 1842. Individual subject to the civil commerce under the public law merchant.
Public Social Security Trust. Marine Insurance for limited liability required under international law - individual is considered *common carrier* - all carriers must have insurance to cover	**Negotiable Instrument Law** /b No limited liability interference. All debt must be paid.

costs of involvement in joint venture for profit /a (a debt never paid.)	
All business and trade over-seen. Regulated by third party administrative trust who take a piece of the action.	No third party intervention. **Article I, Section 10** in full force for individual, i.e., State cannot interfere in obligation of contract. /c
14th Amendment citizen	non **14th Amendment** citizen
Private Enterprise Choices based on what agencies administrative rules/code allow.	**Free Enterprise** Liberty of choice in all areas of life without government interference.
"New World Order" actually administrative democracy based on Old World Order	Republican government guaranteed to the states as per **Art. IV, Sect. 4.**

a. "A case in admiralty does not, in fact, arise under the Constitution or Laws of the United States." ***American Ins. Co. v. Canter***, 1 Pet. 511, 545 (1828).
b. ***Clearfield Trust Co. v. United States***, 318 U.S. 363; 63 S.Ct. 573.
c. This includes the State of the District of Columbia,. D.C. is considered a state in international law. See ***Geoffrey v. U.S.***, 133 U.S. 258; 105 S.Ct. 295.

The uniqueness of our Constitution allows this **dual federalism.** It allows the individual the liberty to function within the **public laws** and the **separation of powers** or it allows for the individual to bind himself or herself by **unilateral trust contract** arrangements.

Thus the word *"federal"* in the American states refers to the **dual federalism** as distinguished in, ***Swift v. Tyson***/32 or ***Erie Railroad v. Thompkins.***/33 We must remember the state courts handled federal questions in the beginning

of the nation. As commerce between the states grew, ***Swift v. Tyson*** was designed to protect the people of the several states from the **Roman civil law** that was operating under admiralty jurisdiction outside the Constitution where the tide of **admiralty-maritime law** ebbed and flowed with international trade. The **dual federalism** was termed by our founders as the ***"New Order For The Ages."*** Today we hear our leaders using the term: ***"New World Order,"*** however, it is being used to create the old world order and its inquisitions under **Roman civil law** [based on the **IRS 1040 form** properly known under the government title of ***"Recapture Property"*** (Postliminy = latin for *"bring home the property"*]

Remember, there are two kinds of taxes, direct and indirect. *Direct taxes* are used to produce revenue for a constitutional government - **public federalism.** *Indirect taxes* are used for controlling human behavior and wealth.

It is wonderful how preposterously the affairs of the world are managed. We assemble parliaments and councils to have the benefit of collected wisdom, but we necessarily have, at the same time, the convenience of their collected passions, prejudices and private interests: For regulating commerce, an assembly of great men is the greatest tool on earth. - **Ol' Ben Franklin** strikes again

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The 14th Amendment

We have reached the point where we must bring in the whys and wherefores of the **14th Amendment** for it is the key that has unlocked the destruction of the American economy and your individual liberty. Even so, our government is still bent on exporting its principles to the world as the ***"New World Order."*** In reality, the supposed ***"New World Order"*** is not new. It is nothing more than old world order of **Roman civil law** in a new disguise continually making and adjusting public policy.

The **14th Amendment** [purportedly] became law - private **Roman civil law** that is - in 1868, but the stage was set years and in some ways decades before. Of the various factors in the history of the U.S. that built the momentum to bring in the **14th Amendment,** probably one of the first was that the **Constitution** made it plain that every citizen had the right to **contract away** his personal and absolute

rights. That is, anyone could literally bind themselves away from the absolute rights under the ***"Bill of Rights"*** any time they wanted to by **private contract.** They could operate outside the Constitution by contract if they desired, because the law was theirs. However, in the opposite vein, they could walk right back into their constitutional government anytime. This was called **the right of expatriation** (more on this a little later).

Another factor contributing to the bringing in of the **14th Amendment** had to do with both slavery and the corporations before and during the **Civil War.** In fact, the **Civil War** figures very prominently in the **14th Amendment** because it was used as a cover for control maneuvers going on in the corporate back rooms of our nation - especially in the north. On the other hand, the slave issue was used as a **con** before, during, and after the war.

In 1851, an *Act* was passed called the ***"Limited Liability Act."*** This *Act* provided protection for owners of ships whose cargo and/or ship was lost at sea. The ship owner and investors were required to purchase **maritime insurance,** so if a loss was encountered, it would be easier to deal with if the loss was spread around. From this, the inland corporations saw an opportunity to advance if, some way, they too could have the benefits of **maritime limited liability** operating in their behalf. They saw **limited liability** as a way to take more risk to advance their profits making the **corporation** *King.* Keep in mind during that time of our nation's history, the north had become the industrial center while the south had remained the agricultural center dependent on slaves as the basis of labor. Because the social issues of slavery had been making more noise, what better time to turn the problem of physical slavery into a tolerated economic slavery by bringing in the **law of the sea** over the land. And if a war results from the slave issue, what better way to help strengthen industry in the north than to use the stimulus of war.

By pushing the problem of slavery, the real issue of economic control by private corporate structure could be advanced unnoticed - the first phase of a *"bait and switch"* tactic. So with the culmination of the **Civil War** and the northern industrial base primed, the slaves were now free of being **chattel property.** At this point, corporate big brother made a calculated move. Since the freed slaves, as well as the rest of the citizenry, were ignorant of how their

freedoms were maintained, it was a perfect time to activate the second part of the bait and switch maneuver. That was to set a law into motion with a lot of Congressional fanfare that appeared to assure the freed slaves that they had all the civil rights of everyone else. Thus came about the ***"Civil Rights Act"*** of 1866, which was **private** or **non-positive law.** The basic problem with the *Act* was that it had no jurisdiction over the slave at all, but the lawmakers sure made it look that way. You see, it was **private law** that only affected those who were in **contractual relations** with the **private corporate structure** of the **United States government.** None of the freed slaves had any type of **license** with the United States government so it did nothing other than play on their ignorance and made them think that it did something. It also affected few of the rest of the population for the same reason. All it ended up to be was a law that had few citizens in its jurisdiction. However, the *Act* had more indirect affect on the future freedoms of everyone as we look back. For those it did affect - those holding **licenses** or under **contract** (including *federal employees*) with the **United States government** - it did two primary things. First, it took away absolute property rights (*in personam*)./34**Second,** it replaced them with personal property rights (*in rem*)/35 regardless of race. That is, the ***"Civil Rights Act"*** of 1866 moved anyone in its jurisdiction away from **real property law** and established them in **personal property law** outside the protection of the **general common law** and the Constitution with its separation of powers.

The only problem with the ***"Civil Rights Act"*** of 1866 was that it did not have enough jurisdiction over the majority of the population. Therefore Congress began another maneuver under the influence of private corporate special interest. It began to make the Pubic think the *Act* was not permanent enough, that there was the potential that another Congress could be impressed to remove the civil rights. Therefore, the only way to assure permanent civil rights was to make an Amendment to the Constitution.

The same Congress, shortly afterwards, evidently thinking it unwise [and perhaps unsafe] to leave so important a **Declaration of Rights** to depend upon an ordinary *Act* of legislation, which might be repealed by any subsequent congress, framed the **14th Amendment** .../36

What an assumed noble reason. Assure civil rights by adding an Amendment to the Constitution. Who would be

against civil rights? After all, isn't that what this country was all about? So we now have the **14th Amendment.** It is extremely unfortunate that as we look back at the racial cover that was used to get the Amendment into law, we continue to see, even today, the same use of racial issues to cover an undercurrent of **corporate private law** being used in the public sector for exploiting the population.

It [the **14th Amendment**] is a set-back to proper government. This operation of the **14th Amendment** runs counter to the ideals expressed in the **Preamble** to the **Constitution** itself. It does any thing but promote domestic tranquility. They [the **Republican Party**] knew what they intended by the vague terms of **section one** of the **Amendment.** They knew that it could be interpreted so as to extend far beyond the negro race question. They desired to **nationalize** all **civil rights;** to make the Federal power supreme; and to bring the private life of every citizen directly under the eye of Congress ... . This result was to be obtained by disenfranchising the whites and enfranchising the blacks ... . It meant the death knell of the doctrine of **State's rights** - the ultimate **nationalization** of all **civil rights** and the consequent **abolition** of State control over the **private rights** and **duties** of the **individual.** It meant the passing over of the police power of the State, into the police power of the national government, thereby giving Congress undefined and unlimited powers whereby it would be enabled to enter fields of legislation from which hitherto it had been barred ... . **The States of this Union were never sovereign.** Neither is the Federal Government sovereign. **Sovereignty** is now and has always been inherent in the American people ... . This would be a different matter if the **Fourteenth Amendment** presented to the courts only questions of law, but this is not the case. As a rule, when the Supreme Court declares a State law unconstitutional under the Amendment, what it really does is not to decide a question of law, but a question of **governmental policy.** ... the primary purpose of the adoption of the **14th Amendment** was to elevate the negro to a plane of equality with the white people and to protect him in his newly given rights. In its attempt to carry out this ideal, Congress was effectually restrained by the Supreme Court. Consequently, as related to the negro race, the Amendment is negative and non-automatic. It has failed of its purpose because there is no Federal power to enforce it, and because the negroes have not been qualified to gain for themselves the ideals which it seeks

to enforce. When they do become so qualified, they will have no need of the **14th Amendment.** On of the immediate purposes of the adoption of the **14th Amendment** was to assist in destroying the power of the **Democratic Party** in the South and in its place to build up **Republicans.** This result was to be obtained by disenfranchising the whites and enfranchising the blacks ... . It was a **nationalization** of all **civil rights.**/37

So, in 1868 Congress passed the **14th Amendment** which accomplished primarily two things:

> **First,** it made each individual primarily a **federal citizen** of the municipal corporation of the District of Columbia.
>
> **Second,** it combined the Senate and the House in their function so they are now operating for the benefit of **private commercial law.** Until the **14th Amendment,** the House functioned for **private commercial benefit** and the Senate functioned for **non-commercial public municipal law benefit** - the benefit of the individual under **republican law.**
>
> **Third,** it made each person responsible for the **public debt** by making them **beneficiaries** of the ***"public trust"*** the **14th Amendment** established.

The **14th Amendment** was also **private non-positive law** (*local law*) because it was enacted to set up a **voluntary trust** relationship that any citizen of the states could participate in if desired. Thus, the Amendment was instrumental in shifting citizenship of each American from being primarily a **state citizen** to being a citizen of the **private corporation** of government. However, this Amendment was a sleeper, so to speak. That is, it could still only exercise jurisdiction of those who chose voluntarily to participate.

Interestingly, Congress knew that it was making an Amendment that was based on **private non-positive law** and was therefore **conditional.** That is, the people had to have a choice whether they wanted to participate or not in what the **14th Amendment** was offering, otherwise it would have been totally and completely unconstitutional. Therefore, one day before the **14th Amendment** was passed, Congress passed ***15 Stat. 249-250.*** This Statute provided for a person to remove him or herself from the jurisdiction of the **14th Amendment public trust** if they

so desired.

The **14th Amendment** set in motion a process of taking **private corporate law** of a few, namely big business, and moving it into the public sector to control the masses for their assumed benefit. The actual benefit was for the corporations. The assumed benefit lay with being a member of the **public trust** and, therefore being able to receive **benefits** from the **trust,** benefits in the form of whatever care the national government would come up with to provide for you from cradle to grave. Those benefits have come at a severe price since 1868. That price is the loss of our absolute liberty under the Constitution and the general common law. In exchange, we have only received back relative rights with assumed economic benefits. In reality, **the benefits have been *curses!***

When our founding fathers wrote the Constitution, it was far simpler to enumerate the few powers that were to be given to the national government than to try and list all the powers the individual citizen would keep. So it was that when the **Bill of Rights** (the first ten Amendments) was completed, **Amendments nine** and **ten** distinctly stated what **powers** *"one people"* would reserve.

> **Amendment IX** - "The enumeration of the Constitution, of certain rights, shall not be construed to deny or disparage other retained by the people."
>
> **Amendment X** - "The powers not delegated to the United States by the Constitution, not prohibited by it to the States, are reserved to the States respectively, or to the people."

So, it was that among all the powers *"retained by the people,"* one of the most important was the **power to contract for services or trades** with another person or persons without interference from anyone - in or out of the government (see ***Article I, Section 10***) and not have the government interfere in any way. As discussed previously, **contracts** are also referred to as ***"private law."*** This right to contract (*use private law*) meant that two people could come to a meeting of their minds and agree between themselves for virtually anything they would both settle on and the government could not interfere. For example, let's suppose that person *"A"* has developed a skill through special professional education or on-the-job training. As a

non-14th Amendment citizen, he or she has the liberty to offer their services for sale without the interference of civil licensing authority. In other words, the licensing authority and their policing powers have no jurisdiction over a person who is not a citizen of the **14th Amendment public municipal trust.** Here is the secret of the true liberty of choice - as in medicine for example. With this true liberty of the laws of the Republic, therapies that are only available outside the United States could be an option in each state. Remember, you are dealing with a political choice. Making your choice to function in the law of the Republic means the government cannot compel you to be regulated by **private law** of the **democracy.**

Yet, there is one very important facet of the **power to contract** or use **private law** under the Constitution. That is, if **contract/private laws** come into dispute in the courts, **the contract will be ruled on outside the Constitution.** You read correctly! **Contracts**, or private agreements, will always **overrule** the Constitution and the Bill of Rights. In other words, specific private agreements (*called **contracts)*** governing individual circumstances between two or more persons will always **overrule** broad general clauses found in the Constitution. This is because it is illogical to allow someone to take a clause out of the Constitution, that was not a part of their original agreement, and use it to weasel, twist and squirm his way out of the contractual provisions while retaining the financial gain the **private contract** may have given him in the first place. In the words of Supreme Court Justice **Felix Frankfurter,** *"Equity is brutal, but we are merely enforcing agreements."* What he means is that when you go to court to dispute a **contract** or **private law agreement** that you had with someone else, the courts are there to enforce the **contracts,** as brutal as that may be, apart and separate from the Constitution.

With the passage of the **14th Amendment** in 1868, the stage was set for **private law** to be used outside the Constitution to financially enslave the masses and destroy the republican union. The stage was also set to move **Roman civil law** into operation within the boundaries of the [u]nited States of America contrary to what our founding fathers ever intended. Note the words of concern in **George Washington's *"Farewell Address"*** to the American People.

> *"The unity of government which constitutes you one people ... is a main pillar in the edifice of your real*

independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. ... it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now like together the various parts. One method of assault may be to effect in the forms of the Constitution alterations (14th Amendment) which will impair the energy of the system, and thus to undermine what cannot be directly overthrown." [Bracket information added]/38

So now we are seeing the results of *"Constitution alterations"* in 1868. Alterations that have *"covertly and insidiously"* removed the *"national union"*, known as the U.S. of A. the Republic, and substituted economic slavery of compelled performance.

Yet the beauty of the our Republic and the constitutional government our forefathers set up can be demonstrated from the way **President James Madison** responded to a *bill* that he vetoed on February 21, 1811. It shows how forces of **private religious conscience** were always trying to force their **private law** on the public.

"Because the bill exceeds the rightful authority to which Governments are limited, by the essential distinction between civil and religious functions, and violates, in particular, the article of the Constitution of the United States, which declares, that "Congress shall make no law respecting a

religious establishment." The bill enacts into, and establishes by law, sundry rules and proceedings relative purely to the organization and polity of the church incorporated, and comprehending even the election and removal of the minister of the same; so that no change could be made therein by the particular society, or by the general church of which it is a member, and whose authority it recognizes. This particular church, therefore, would so far be a religious establishment by law - a legal force and sanction being given to certain articles in its Constitution and administration ... as the injunctions and prohibitions, contained in the Regulations, would be enforced by the penal consequences applicable to a violation of them according to the local law. Because the bill vests in the said incorporated church ... would be a precedent for giving to religious societies, as such, a legal agency in carrying into effect a public and civil duty."/39

So it was not until the [purported] passage of the **14th Amendment** that the continual push of **private law** into the public sector won out. At that point, **private conscience law** of the **Roman church** became the national conscience by way of the **14th Amendment trust** of the District of Columbia.

Now notice this: In ***Wheaton's Elements Of International Law,* 6th edition,** page 304, the existing rule as to freedom of religious worship is thus laid down:

"A minister resident in a foreign country is entitled to the privilege of religious worship in his own private chapel, according to the particular forms of his national faith, although it may not be generally tolerated by the laws of the state where he resides."

*"The **laws of Rome** do not tolerate any other form of public religious worship than such as conforms to the teachings of the **Roman Catholic church;** but the right of any foreign minister at the papal court to hold religious services under his own roof, and in accordance with the forms of his national or individual faith, has never been questioned or interfered with. This the **Russian,** the **Prussian,** the **American,** and other representatives of foreign powers in **Rome,** have always exercised [and still enjoy unmolested] the freedom of religious worship*

in the several chapels connected with their respective legations. These chapels, of course, are open to all compatriots of the different ministers desirous of joining in their religious services."/40

The national faith, referred to, applies to the **14th Amendment citizenship.** It is a citizenship based on the **unilateral charitable social security trust of conscience** (*religion*) of the **District of Columbia.** Because it is based on a **unilateral charitable contract,** it cannot be tolerated in the laws of the state where one resides - meaning the laws of the Republic of the [u]nited States of America. The Laws of the Republic and its separation of powers is not governed by the **law of conscience** or **religion.** That is, the Constitution mandates that the Republic will not recognize the establishment of a religion, the conscious beliefs of one or a thousand individuals, as a basis for **Public Law.** Here is the prescribed separation of power. It is governed by the **public municipal law** of the Constitution of the [u]nited States of America. **Religious beliefs** are a private matter within each person and are not intended to be enforced on anyone else in the Republic. This has been the very downfall of every civilization. Somebody wants to enforce their conscience - religion - upon everyone else - democracy: the exact cause of the **American Revolution** of 1776 and the mess of the nation today.

The ***"Statute of Charitable Uses"*** (*charitable trusts*) was enforced in the 13 original colonies by courts of the **Star Chamber**/41 enforcing ***"Writs of Assistance"***/42 (such as demands of the conscience of the IRS) and was the cause of the **American Revolution.** This is because the **Statute** was based on the **parliamentary democracy** which received its law based on the **king's conscience** - divine right of kings. The ***"Statute of Charitable Uses"*** (*trusts*) never had any force in the (u)nited States until the coming of the **14th Amendment** to re-institute the courts of the **Star Chamber** enforcing ***"Writs of Assistance."***

For an example of the **private conscience law** of the church being moved into **public policy,** look at this:

> CKQUOTE> *"The **Cathedral Church of Saint Peter** and **Saint Paul,** also known as the **National Cathedral,** seeks to serve the entire nation as a **house of prayer** for all people. The concept of such a cathedral dates back to 1791 when **Pierre L.' Enfant** specified **"a great church for national***

purposes" *in his plan for the city."*/43

So let's take a look at the exact test of the **14th Amendment** so we can see what is taking place.

> **Amendment XIV (1868) Section 1.** "All persons born or naturalized in the United States, *and subject to the jurisdiction thereof,* are *citizens of the United States* and *of the State wherein they reside.* No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law."
>
> **Section 2.** "Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."
>
> **Section 3.** "No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as member of any State Legislature, or an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote to two-thirds of each House, remove such disability."
>
> **Section 4.** "*The validity of the public debt of the*

United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, *shall not be questioned.* But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellions against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void."

Section 5. "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

First, let's notice the italicized part of **Section 1.** Two important facts are derived from this part. **One** - this Amendment deals with trust law. The phrase *"and subject to"*/44 is language that is used for **trusts** which are nothing more than **private contractual arrangements.**

Two - Section 1 states that your are now to be firstly and primarily a **citizen of the United States** and secondly a **citizen of the State,** while outside the **14th Amendment**, and under the full rights of the Constitution, it is just the opposite.

Next, notice the italicized part of **Section 4.** According to this, the *"validity of the public debt"* and all its facets *"shall not be questioned."* Whether Amendments to the Federal Constitution have been properly ratified is (usually) a **political question.**/45 A **political question** means that it is voluntary. The court will never question your choice, but will enforce that choice. This is why **Section 4** of the **14th Amendment** says *"the public debt shall not be questioned."* When one is a **beneficiary** of the public debt when you have volunteered (*politically*) for it. It is like suing yourself, it is impossible. Another U.S. Supreme Court decision also verifies that you can **reject** the benefits of a trust (*the public debt*) if you realize you are not the beneficiary./46 In other words, is it your will to be a part of the economic benefit of the legislature? If not, then what evidence do you have to show that you have declined to be a beneficiary? This is where your *"Declaration of Independence"* comes in.

The **14th Amendment** is **private unilateral contract law** being used in the public sector to dictate **public policy.** Everyone born since 1868 has, by accident of birth,

become subject to the **14th Amendment.** *"Subject to"* is accomplished through the **constructive trust** created under the **Roman civil law** offer and acceptance principles and all its ramifications, including being citizens primarily of the United States government and not of the state in which you live. Plus, you also have the additional benefit of being part of and responsible for the public debt of the trust. The **14th Amendment** does not say that all persons are subject to, it says *"and subject to"* which is the first clue to revealing that each citizen does have a choice as to whether or not they want to be *"subject to."*

The **14th Amendment citizenship** is one which a citizen keeps unless he voluntarily relinquishes it and which, once acquired, cannot be shifted, canceled, or diluted at the will of the Federal Government, the states, or any other governmental unit.

Allegiance in this country is not due to Congress, but to the people, with whom the sovereign power is found ...

> *"It was subsequently acknowledged by several members of this Court that a central purpose of the Citizenship Clause was to create an independent basis of federal citizenship, and thus to overturn the doctrine of primary state citizenship."*/47

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Separation Of Church And State

Within the **14th Amendment charitable trust,** there is no separation of church and state. Organized religion today is in bed with the government and they are *"one flesh"* with it. A majority of the public interest of churches today centers on the social issues the government is developing policy over, while the churches are oblivious to the fact that the government is operating as a *charitable church trust.* That is, government is nothing more than a **political church trust** for charitable purposes.

The reader must understand that what a man believes in his conscience is his religion. It matters not whether he or she belongs to an organized denomination. It does not even matter if they believe in one God, fifty Gods or no God, their personal belief is their conscience and religion. The conscience or belief of a man is changeable. It is

conditioned according to where he or she was born, raised and educated. Conscience is being influenced every day by what one encounters, therefore the conscience is not absolute but rather abstract. What one man would decide regarding some incident or happening may not be the same as what another would decide.

The ***1st Amendment*** of the ***Constitution*** was for the purpose of preventing religion from becoming government policy.

> **Amendment I.** (1791) *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."*

However, this **Amendment** has been misunderstood according to the court cases that have dealt with it. What the **first Amendment** is about (literally) is to prevent an individual's personal religious - conscience - from being legislated into law as **public policy.** The **first Amendment** said the government was not to interfere with one's right to express his conscience by making any **public policy** based on it.

> *"... the term **"religion"** in this Amendment refers exclusively to a person's views of his relations to his Creator, though often confused with some particular form of worship, from which it must be distinguished;..."*/48

> *"First Amendment gives freedom of mind same security as freedom of conscience."*/49

Because of its abstractedness and changeableness, religion has no place in the law. The Law deals only with absolutes. Law is based on the unchangeable just as the laws of the universe express themselves through unchangeable principles - movements of the earth around the sun and seasons of year, etc.. Law is man's right to be free to follow the dictates of his own conscience without harm or interference to himself or others. **Roman civil law,** as discussed earlier, is the opposite, it dictates what the conscience of an individual should be obligated to by way of the civil government's Codes and laws.

Since the **14th Amendment,** religious conscience has been allowed to become public policy. That is, contrary to

the first Amendment, a man or a few men's religious ideas are now constantly becoming or changing public policy because of the formation of the public charitable (church) trust of the 14th Amendment operating outside the confines of the Constitution. Any organization that is incorporated with a non-profit status will fall into the category of a *"church"* and is involved in **public policy** of the **14th Amendment church.** They are benefiting as a beneficiary of the trust. This means that all income received **comes from the trust** because of the privilege of existing in the abstract non-profit corporate status. Parallel to this, all profit corporations are churches as well because of their relationship with the **14th Amendment trust.** Under the **14th Amendment,** individual *"persons"* are put on the same level as corporations - also called *"persons."* The *"state"* becomes **the conscience of every member of its charitable trust** and the conscience of the trust is **the one who has the greatest amount of influence or money** - viz., special interest groups - to sway (viz., lobby) the legislators. If you are involved in trying to influence and shape legislative law - abortion, gun control, vitamin supplements, etc. - you are involved in special interests attempting to dictate **public policy** by way of the private religious conscience church known as the **14th Amendment charitable public trust** of the United States - the federal government.

Non-profit groups, small or large, **are dead to the law of the Republic.** In other words, the *"person"* is considered an **artificial creation of the state** or **a reincarnated group of legally dead people acting as one corporate person.** The jurisdiction in which these *"persons"* exist is a religious jurisdiction. The only courts that *"persons"* of the **14th Amendment** have access to are **legislative courts** also called **ecclesiastical courts,** because they operate in a papal fashion - dictating the conscience of the church (*Pope - 14th Amendment charitable trust*) as law.

Take a look at the word ***diocese, decease*** and ***decado.*** The words demonstrate the jurisdiction, the state of existence and the movement of the persons in the **14th Amendment church trust.**

> **Diocese,** n. [OF. diocise, fr. L., Gr. dioikesis housekeeping, province, diocese, deriv. of dia through + oikein to manage a household, fr.oikos a house.]./50 Province is also the district over which the jurisdiction of an archbishop extends. Hence Provincial Courts, the ecclesiastical courts of the

two archbishops.

A territorial division, or colony, of a country.

Duty; power; responsibility; thus it is the province of the court to judge the law, that of the jury to decide the facts./51

Province, in ecclesiastical geography, usually denotes that union of several dioceses which constitutes an archbishopric; it is often conterminous with several states with an entire country, or with several countries./52

Decease, n. [OF. deces, fr. de + cedere to withdraw.]./53

Decedo (*decedent*) I. to move down duly, withdraw, retire, `clear out' (*with idea of making way for another*). a. to retire (*in favor of another*), to give up rights, possessions, etc. b. to give place, yield to. c. Of living beings: to depart (*from life*), to dies. d. Of things: to abate, subside, cease. II. to go away; go wrong, depart, swerve. 2. Transf. Of duty, faith, etc./54

Because an individual is dead to and departed from the light and life of the law - given up his or her own conscience for another's, viz., the trust - they have descended down from being an absolute sovereign into a lessor law of servitude to the conscience authority of a territory, a territory over seen totally by policy dictated by the conscience of a few controlling the masses for their assumed best good. The person is considered an **incompetent** under the **14th Amendment**. That is, you are incapable of managing your own affairs and have agreed to all of this by your silence - a silence of ignorance. Silence on your part is assumed as **acceptance** of the economic benefits you were offered at birth by the operation of the **14th Amendment trust law.**

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Expatriation

On July 27, 1868, one day before the **14th Amendment** took effect, an *"Act"* of Congress was passed. This *Act* was ***15 United States Statute at Large***,/55 known as the *"Expatriation Statute."* Though this *Statute* is no longer

included in the *United States Code,* it has not been repealed and is still in effect./56 This *Statute* is extremely important because it is the **public municipal law** the individual can use for private purposes to remove him/herself from the **private trust law** operating in the public sector. That is, a private individual, who has found himself or herself bound by **private law** that is being used in the public sector to promote **public policy** of **compelled performance** which he did not have a choice in, can access the **public positive statute law** to move back under the liberty and protection of the Republic and its separation of powers.

The **preamble** of ***15 United States Statute at Large*** is unique in that Congress laid the legal discussions to rest before the *Statute* took effect to assure it would not be tampered with legally in any way. It stands as written and is there for the citizens to use as **Public Law** for the private purpose of moving themselves from one political or territorial jurisdiction to another. This means there is a way out at anytime of any United States government policy or law, including those of its political subdivisions, that is based on **private law.** Whenever you find yourself bound by any **compelled performance** you had no choice in, you are operating in the jurisdiction of the United States government and its political subdivisions where there is no republican form of government and its separation of powers. By applying **Public Laws** for your private benefit, you can break that dictatorial jurisdiction anytime you choose.

The insidiousness of the **14th Amendment** is that even though it is **private contract law of a trust,** it is not a **bilateral contract** where both parties sign the document after a meeting of the minds. The **14th Amendment** is *"quasi contractual."* That is, it is not a true contract as recognized in the general **common law,** rather it is called an ***"adhesion"*** or ***"unilateral"*** **contract** where only one party binds himself. In this case, a person agrees to the **private trust law** merely by his silence. If a person does not speak up to let his choice be known, the **trust** will assume he or she is a part of and **beneficiary** of it. They will assume that you have **gifted your life** to the **trust** for the benefits they have to offer.

Under the **14th Amendment,** the citizen [who does not make his choice known for or against the trust relationship], is assumed to be a **beneficiary** because he or she has not stated otherwise. As a **beneficiary,** you are

an *outlaw* as far as the Constitution is concerned. You are operating outside of the Constitution. While operating outside the Constitution you only have *relative rights* under the **Bill of Rights** and the **Constitution** because **private contract law** takes priority over **constitutional law.**

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Public Policy And The Democracy

As long as you are under **private trust law** operating as **public policy,** you are under the conscience of the few who influence and make the **public policy** of the **trust** for the benefit of its members. These groups are known as *"special interest"* or *"political action"* groups. This is why the news reports almost daily that some poll has been done to see how the people feel. Under the **14th Amendment public trust,** majority rules. This is why you hear the word: *"democracy"* all the time. It refers to the **14th Amendment public trust** that everyone is a part of because of their silence. It tells you that *"mob rule"* and *"communalism"* are the order of the day; it tells you that if a special interest group can create enough waves of influence, the **trust** will be compelled by popular demand to accept the new policy the special interest group has been promoting. If you are a part of the **democratic trust,** you have to go along if you do not know your options.

Private law is **conscience, ecclesiastical** and **religious law.** They are equal to each other. Under the **14th Amendment trust,** there is no true religious liberty because the individual is part of the conscience of the **trust** and the few that make its rules called *"Codes."* In fact, there are no true freedoms at all as listed under the **Bill of Rights.** Try publicly saying much against the IRS and their prima donna attitude and see how absolute your liberty of speech is. As alluded to earlier, the free citizen of the soil of each *"state in this union"* is not affected by the **private law** of another individual or **group trust** unless they choose to bind themselves by silence. Silence is slavery under **Roman civil law** principles. Unless one stands to claim his sovereign rights, he does not have any. Each person must exercise a choice to be free or enslaved. The **public municipal law** will uphold your right of choice, but you must make a choice the law can uphold.

Yes, if your are a **beneficiary of the trust** you are living

under an **administrative democracy** (*parliamentary democracy*) - a communal association - where there is no separation of powers and your private rights are subject to the will of the majority. You have no absolute rights, only relative rights. The Codes and revised Statutes are for the general good of the association. Few citizens of the (u)nited States realize the *"Republic for which it stands"* is a house with no one living in it.

With or without the check of a dictator, power has been passing from the legislature to the civil service or bureaucracy, which alone feels competent to manage the complex and technical business of the state./57 Anglo-Saxon countries are taking a place alongside of the countries of continental Europe with a body of **administrative law** and its **administrative courts,** at least in embryo. The popular conception of ***liberalism*** is undergoing a great change. Liberty lingers on as a name, but a name used to designate almost the opposite of nineteenth century liberalism; for the new liberty consists mainly in legislative restrictions which keep one man from exploiting another while the state exploits both./58

Now take a look at how your own federal government defines the difference between a **republic** and **democracy.** The following was taken from **U.S. Government Training Manual, No. 2000-25 dated WAR DEPARTMENT, Washington, November 30, 1928** and prepared under direction of the **Chief of Staff.** Under which do you live?

> **DEMOCRACY:** A government of the masses. Authority derived through mass meeting or any other form of "direct" expression. Results in mobocracy. Attitude toward property is communistic- negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license, agitation, discontent, anarchy.
>
> **REPUBLIC:** Authority is derived through the election by the people of public officials best fitted to represent them. Attitude toward property is respect for laws and individual rights, and a sensible economic procedure. Attitude toward law is the administration of justice in accord with fixed

principals and established evidence, with a strict regard to consequences. A greater number of citizens and extent of territory may be brought within its compass. Avoids the dangerous extreme of either tyranny or mobocracy. Results in statesmanship, liberty, reason, justice, contentment, and progress. Is the "standard form" of government throughout the world. A republic is a form of government under a Constitution which provides for the election of

an executive, and

a legislative body, who working together in a representative capacity, have all the power of appointment, all power of legislation, all power to raise revenue and appropriate expenditures, and

are required to create a judiciary to pass upon the justice and legality of their governmental Acts, and

to recognize certain inherent individual rights.

Take away any one or more of those four elements and you are drifting into autocracy. Add one or more to those four elements and your are drifting into democracy. Superior to all others. **Autocracy** declares the divine right of kings; its authority can not be questioned; its powers are arbitrarily or unjustly administered. **Democracy** is the *"direct"* rule of the people and has been repeatedly tried without success. Our constitutional fathers, familiar with the strength and weakness of both autocracy and democracy, with fixed principles definitely in mind, defined a representative republican form of government. They *"made a very marked distinction between a republic and a democracy and said repeatedly and emphatically that they had founded a republic."*

A French diplomat, politician and statesman by the name of **Alexis de Torqueville** made the following observation about the **democracy** of the **United States** when he visited here in the early part of the eighteen hundreds:

"The tyranny of public opinion," **de Torqueville** argued, *"could prove more burdensome than the tyranny of any monarch. Democracy*

*(**communalism**) does not guarantee efficient government; it does provide freedom for the pursuit of one's own interest, subject always to the tyranny that comes from the majority insisting that its values (**religious conscience**) and ideas should be safeguarded."*

Torqueville saw the new state power as rather like that of the parent, except that the parent prepared the child for manhood; the democratic state was interested in perpetuating childhood in man. It would provide for his necessities, facilitate his pleasures, and direct his industry.

"What remains," **Torqueville** asked, *"but to spare them all the care of thinking and all the trouble of living."*/59

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Losing the Law

Between 1868 and 1933, the **14th Amendment** had little affect upon the general population. This was because the people still controlled the substance of their law. That is, the only people affected by the **14th Amendment** relation during this time were those that held **licenses** and **contracts** with the government of the United States or were in its employment. It was not until **June 5, 1933** that the **14th Amendment** took on a whole new power. On that date **H.J.R. (*House Joint Resolution*) 192** was passed and the American people voluntarily gave up their Law because they voluntarily gave up their gold.

That is correct, the people voluntarily gave up their Law. To read the history just after that time and talk to people who lived through it, they will tell about the government agents who came around to confiscate the gold that was in the possession of the people. It appeared from what took place that the people were forced to give up their gold. However, that is not what could have happened. Going along with the *"Public Policy"* of **HJR 192** was actually a voluntary act - **"and is mutable at will."**/60 Thus the individual was a victim of his own ignorance about the Law. By accepting the offer of the **private credit,** the population was automatically bound over to the **private trust,** now having gone public because the whole population was moved wholesale into the **trust** by their silent or negative acceptance. **When 51% of the**

population volunteered for the private trust it became a Public Trust.

To understand issues that proceeded the 1933 event, we must go back to 1834 when the U.S. Supreme Court declared in ***Wheaton v. Peters***/61 that there was **no federal common law.** In other words, the federal government was not set up under the **common law** as a *"state in the Union,"* such as **Pennsylvania, Virginia, New York,** etc.. These states were based upon the **substance** of the **common law** and its **allodial land titles.** ***Allodial*** means there are no overlords upon the land, therefore, man is his own King upon the land. The **gold** and **silver** that came from the **allodial land** were **public money** used for **private trade** between the citizens of the states. This meant there were no third parties involved in the trading contracts because there was **no private enterprise trust** (as the **14th Amendment**) dictating **public policy.** Trade among the states, at that time, involved **two party contracts** called **free enterprise.** The commercial trade taking place between the states was mostly in its infant stages and was regulated by the **common law.** Yet, the **common law** of each colony was foreign to each of the other colonies without any standard of trade. Most of the commercial (*political commercial*/62) trade involved **international trade** which was regulated under **admiralty/maritime law** outside constitutional mandates.

With the growth of commerce between the states, there became a need to try and standardize some form of commercial law. Each state had its own laws of commerce, as based on the common law, and this created great problems when it came to which state's laws were to be enforced when disputes arose. A federal circuit court judge, by the name of **Joseph Story,** was a pioneer in trying to form some sort of standard in **commercial law** that would appeal not only to the **federal courts,** but also to the **state courts.**

When **Story** was appointed to the **supreme court of the united States** he became the principle advocate in the landmark decision of ***Swift v. Tyson***,/63 establishing a general **federal (*civil commercial*/64) common law** so as to create uniformity in commercial disputes involving **negotiable instruments** in federal and state courts./65 The decision was based, in part, on the fact that **gold** and **silver coins,** as the **substance** of the **common law,** were being transported between states in commerce. As a result

of the **substance of the common law** being used in **commerce,** a **jury trial was possible in the federal circuit courts.** The court proceedings were strictly operated under authority of ***Article III, Section 2 of the Constitution.***

Justice Story/66 had been aware of **Robert Owen's communal concepts** in 1833 and the influence it could have on the loss of gold as a fixed standard in trade. **Owen** was instrumental in promoting ideas of how to move **private communal commerce** into the **public sector.** To accomplish this, the law would have to be changed in order to obtain the maximum financial stimulus for commercial growth. For a man like **Story,** who knew the relationship of gold to the Law, he could read the handwriting on the wall. With the undercurrent of corporate special interest scheming that started in 1833, **Story** knew that somewhere down the road the American people would lose their Law. He knew this would eventually allow **private law (*private law merchant*)** to be moved into the **public sector** controlling **public policy,** resulting in the loss of **general (*commercial*) common law** for those involved. In other words, separation of powers would be lost in favor of the **private commercial corporate business** to the detriment of the average citizen.

Also in the 1842 ***Swift v. Tyson*** decision, **Justice Story** would assure a trial by jury in a civil cause between states even if there was no gold standard in the future.

What does a jury have to do with the fixed gold standard? **Gold was the land** because it not only came from the land, but it was also **transportable real estate (*portable allodium*).** The ancient **common law** was based on the **real property boundaries** or soil that belonged to a person **and anything that came from that ground or soil,** such as gold or any other precious mineral or rock, **was considered substance of the soil in the common law.**/67 Gold in the hands of the common person meant the **public municipal law (*Public Law merchant*)** was *"supreme"* because the person controlled the gold or land where the goods were produced. In the true historic sense of the **common law,** the only person who counted was the **land owner.** That is, you could be equivalent to a slave if you did not own land. Also, at the beginning of our country, one could not vote unless they owned land. In a jury trial, the jury had to be made up of the peers of the person on trial. The only true peer of a non-commercial

individual land owner under the common law was another land owner. Land ownership being based on absolute rights with allodial titles - no outside private equitable interest or overseer involved.

Historically, the commercial traders and merchants were **nomads.** They were not land owners nor were they producers. What they made money on was trading in the commodities the land owners produced. In other words, they were the original broker middle men. When the fixed gold standard was removed, it meant that everyone had been shifted from the **civil commerce (*Public Law merchant*)** side of the law to the **political commence (*private law merchant*)** side of the law. Where once you were considered to control the land and the Law absolutely, now you are considered to be a **non-producing trader** with only **relative equitable rights** - land or no land. The result is that there is no more possibility of a trial to judge the **public municipal law,** rather the trial would be based on the facts of the **private implied contract** you were now assumed to be involved in. ***You are assumed to be guilty before proven innocent.*** It is the **Roman civil law** that makes you **guilty by accusation** requiring you to prove your innocence.

Swift v. Tyson has been in effect since 1842. However, the ***Erie Railroad v. Tompkins***/68 decision of 1938 stated that **there was no longer *"general federal common law."*** The ***Erie Railroad*** case was based on the fact that it was assumed that all citizens in the United States have been included in **contractual commerce** of the **private law merchant** (*through the **14th Amendment** and **HJR 192***) outside the Constitution as allowed by ***Article I, Section 8, Clause 17.*** The ***Erie Railroad*** decision came five years after **HJR 192** (*the removal of the fixed gold standard*). This allowed enough time to pass so the when people realized that they had no right to a real jury trial, they would not panic. ***Erie Railroad*** was based on **HJR 192** because the fixed standard (*the law or the gold*) of money was removed.

It is now up to the individual which commerce he wants to be a part of, for it is a political choice. Do you want to be a part of the political commerce under the **private law merchant** of the **14th Amendment** sustained by ***Erie Railroad v. Tompkins***? Or do you want to have absolute liberty and all the absolute freedoms of **civil commerce** under the **Public Law merchant** as supported by ***Swift v. Tyson***? Remember, the courts will not question your

political choice but they must uphold it. However, unless you take the proper action, your choice will be assumed to be with the **private law merchant.**

With **HJR 192,** the substance of your law - gold - was turned into **commodities.** That is, the fixed standard, at $35.00 per troy ounce of weight and fineness of your money was removed. Once the money no longer had a **fixed standard,** it could then fluctuate according to supply and demand just like a commodity i.e., a bushel of grain. This had the same effect on **real property** as well - this is called **inflation.** Money is the only Thing in the United States that has no fixed standard.

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Private Money

You can still function and contract within the money system of the Republic using the private money because Congress suspended the ***"Payment"* of debt in Law** by suspending the fixed gold standard. Even though one is outside the **14th Amendment trust**, and not a part or **beneficiary** of the **public policy** of the **trust,** you cannot ***"Pay"* your debts in Law.** All you can do is ***"discharge"* your debt in equity.**/69 Because of this, you are the only one who can determine your worth and values in money and other wise when not under the **14th Amendment.**

> **Please note:** the explanation of the money system in this section is for educational purposes only. It is never to be used in any legal arguments, because the choice of the money (*public or private*) is a **political question** which the courts do not have jurisdiction to decide.

When the fixed gold standard was suspended in 1933 by **HJR 192,** it was not an abolishment of the standard or the law associated with it, it was just suspended. That is, it was set aside in favor of another law. It was a political decision based on the fact that the people did not rise up and tell Congress that you cannot take away our law or gold (*money*). Therefore, the treasury agents came and confiscated the gold (*being the Law*) because the people did not choose to keep the Law. The individual could have stopped that from happening, but he would have had to have made his legal and political declaration to not be involved with **private law** for **public purposes**

(*democracy*) under the **14th Amendment.** Because the people were ignorant of what was taking place by operation of law under the **14th Amendment,** no one knew how to **expatriate** back into the **Republic Law** that was still there.

The ***Erie Railroad*** decision saying there was no *"general federal common law"* was based on the fact that the man who sued the railroad was an **outlaw** to the Constitution. That is, he had no standing in absolute constitutional law because he was a **14th Amendment citizen** and therefore he could not call on any **general federal commercial common law** that still existed in the **Republic** for protection./70 He had chosen, by the default of silence, the **private law** of the **14th Amendment trust** for public purposes. He could not claim any rights based upon the ***Swift v. Tyson*** decision nor could he access **Article III, Section 2 courts** of *"judicial Power."* Instead, he could only be **compelled** to resort to **Article I legislative courts** that operate outside the U.S. Constitution.

The **Constitution of the (u)nited States of America** uses the term: *"the several states."* This means the **territorial government** and its **Article I ecclesiastical** or **legislative courts.** Under **Article IV, Section 4,** the **Constitution** uses the term *"states in this union." "States in this union"* is different from *"the several states"* as used in **Article I** of the **Constitution. Article IV, Section 4** of the **Constitution***guarantees* the republican form of government. *"States in this union"* is referring to **public municipal law** of the **Republican states** for **private purposes** while *"the several states"* refers to **private law** for making **public policy,** i.e., **trust law** including the **Uniform Commercial Code./**71 Before 1933, you did not have to call on the republican form of government and **Article III, Section 2 courts** of *"judicial Power"* because it was automatically there because the gold was there. After 1933, you have to call on the (*public municipal law*) for **private purposes** to have the **republican form of government** because the fixed gold standard is not there. Gold coin today is **commodity gold** (also called *"fiat money"*) and that is why it fluctuates in value on the commodity market daily. **It is not guaranteed by the U.S. Treasury as to its weight, fineness and fixed standard.**

As to the **16th Amendment,** *it has not applied since 1933.* Today, the **16th Amendment pertains only to the federated states** as **political subdivisions** of the **District**

of Columbia as well as **American Samoa, Guam, Puerto Rico,** etc., and are construed as ***"(S)tates"*** **of the United States;** not to be confused with the 50 (s)tates of the (u)nion.

Remember that you are presumed to be a **14th Amendment citizen** since 1933 unless you bring forth evidence to prove your political choice is otherwise. It is all a part of your express ***Will.*** Silence on your part means that you have conveyed your property to the **public trust** and want to be treated as a **constructive trustee** outside the Constitution. The **IRS** and the **State Tax Boards** are the **trusters** of your **estate** because of your silence. If you want to get back to the republican form of law, you have to use the **state probate court** to sever the **trust** relationship. Once the **trust** is broken by the **courts** noticing your ***Will*** in **expatriation,** you can take back your estate. The **trusters** received your **trust** by operation of law. You can only take it back by exercise of your private use of **public municipal law.** Also remember that the individual is presumed to know the law. Ignorance of the law is not an excuse.

Another very important reason for the courts having to sever the trust relationship is **to protect the trust.** If there was no **judicial noticed** action, there would be nothing to stop the individual from bringing suit against the **trust** to receive **benefits** from it even though they had never paid a dime in the form of taxes.

The founding fathers established a republican form of government right in the beginning. And what is unique about the (u)nited States being a Republic is that we had a Constitution to spell everything out about its operation in relationship to its Citizens. The Constitution of the (u)nited States of America was designed to protect the minority from the majority. All other republics fail mainly because they do not have an instrument that defines what the republic is and how it should operate.

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Jurisdiction Of The 14th Amendment

From the beginning, **federal district courts** had no jurisdiction to deal with the private individual. They only handled **admiralty- maritime issues.** There were only **circuit courts** and the (s)upreme (c)ourt of the united

States operating in the United States government that could have jurisdiction over matters involving diversity of citizenship. That is, matters involving citizens from different states. The **state courts** handled **federal questions** because they being courts of original jurisdiction in issues that involved **contracts.** When the **14th Amendment** came along, the **United States district courts** could have jurisdiction in **private matters** of individuals involved in the **trust** because the **trust** and its members now came under **admiralty-maritime law** outside the Constitution as did all international trade. At that point, the **federal courts** were given ***"in rem"* jurisdiction** over the people. The ***"res"***/72 was with the people, because there was no public debt. The ***"in personam"* jurisdiction** did not apply to the average citizen because the government had no direct contact with the people who lived in the states until after 1933. When the fixed gold standard was removed, **the people lost their Law.** Before 1933, the **federal courts** could not assume jurisdiction over a person. There had to be some **bilateral arrangement (contact/conveyance establishing a res or *"thing"*)** that would have given the court jurisdiction over the people **in personam.**

All the changes from civilian methods result from these changes - the perverted use of *"person"* and the new concept of *"res."*/73

The ***"Law of persons and things"*** is the ***"law of Status."*** ***"Law of Things"*** is ***"Law of Property"*** - or **contract.** Any changes in an individual's standing in the law are a result of how he unknowingly allows a **res** to be formed and thereby becomes subject to another jurisdiction.

There is a difference between ***"subject matter jurisdiction"*** and ***"jurisdiction of the subject matter."*** The courts have jurisdiction of the **subject matter of the trust res** under the **14th Amendment.** But as a **non-14th Amendment citizen,** there is no **res** to which they - the court - can attach jurisdiction. However, there are areas in the law whereby you can re-convey subject matter jurisdiction to the court.

Before 1933, the **federal courts** did not have **in rem jurisdiction** to compel performance of the general public because the people had not given up the law (gold). Unless there was some **bilateral contract** involved in a dispute, the **federal courts** could not attach **jurisdiction** over a person. The **federal courts** only dealt primarily in

contractual disputes between citizens of different states. After 1933, the people contracted for more debts than there was gold to back up those debts. Something like $28 billion in debt with only $4 billion in gold to back it. When Congress suspended the gold standard, the nation was thrown into a **debtor/creditor relationship** because the people are the **posterity of the country,** they are also the **posterity of the debt** through the **social security system** while remaining under the **14th Amendment** because it made one primarily a **United States (c)itizen** and secondarily a **citizen of the state.** So under the **14th Amendment,** you automatically became responsible for servicing the **national debt** in order to maintain the social security system./74 [Review footnote 24 on **constructive trusts**].

The **public debt** then establishes a **res** in the **District of Columbia** and since you are primarily a **United States (c)itizen** under the **14th Amendment,** you automatically become a **beneficiary** of the **debt.** The **res** is the **debt** as well as the **subject matter.** The **public debt** operates outside ***Article III, Section 2*** of the ***Constitution of the United States.*** This is why the whole judicial system operates outside the Constitution in that they operate only under ***Article I*** as **judicial functions.** Every judge then can render decisions based on **his own prejudices,** not on constitutional law of the Republic. Since the 1938 ***Erie Railroad*** decision, justices have been free to render ***Article I*** **ecclesiastical or legislative court decisions** based on their own desires or political pressures, not on the Constitution, and they are **immune from suit** because it is a **judicial function**, not a *"judicial Power"* as ***Article III, Section 2*** **courts.**

Under the **14th Amendment trust** relation, the federal government, in dealings with its citizens, automatically has ***"in rem"*** **jurisdiction** over all **14th Amendment citizens** (also called **U.S. (c)itizens**). When the government has **in rem jurisdiction,** they automatically receive ***"in personam"*** **jurisdiction** at the same time.

> *"**Jurisdiction in rem** depends solely on the physical control of the **res** by the **sovereign** exercising jurisdiction* [**14th Amendment jurisdiction** of the **public charitable trust** of D.C.] *... thus where property is carried into a foreign territory* [**District of Columbia**] *without the cooperation of consent of the owner, jurisdiction cannot be exercised."*/75 [Bracket information added]

General jurisdiction is **public municipal law** for **private purposes,** while **local jurisdiction,** also called *"local laws,"* are **private law** for **public purposes.**

When a person **expatriates** using ***15 Statute at Large,*** his or her whole estate comes back out of the **trust.** So the state, under *"local law"* (that is, **Washington D.C.** and its political subdivisions) loses the **in rem jurisdiction** and therefore automatically loses **in personam jurisdiction.** The court can compel you to appear, but cannot attach **subject matter jurisdiction** because the **subject matter**, or the **trust res**, is no longer in **Washington D.C.** or its political subdivisions. It has been removed back under the Republic by your political Will in fact, and in law.

HJR 192 is **mutable** by will./76 The insolvency of the government, as declared by suspension of the gold standard, is not something that everyone has to participate in. Not everyone has to be an *"insolvent."* The people put more demands on the payment of gold than there was gold in the treasury so the gold standard was suspended. But the individual does not have to go along with **public policy,** especially **public policy** that was a result of **private law,** viz., **private law for public purposes.**

Before **June 5, 1933,** there was **public money for private debts.** After June 5th, there was **private money for public debts.** Now all **private credit money** operating in the public sector as **public policy** is all that has been available to ***discharge*** (not pay) **private debts** since **June 5, 1933.** The individual who is a **non-14th Amendment citizen** can technically maintain the *"gold standard,"* because all the **taxes of compelled performance** do not apply to him. **Inflation** is due to **taxes** because the taxes support non - producers and thus a sounder dollar results when no taxes are paid.

Since June 5, 1933, **everything is predicated on your personal Will.** Through **public policy** and the silence of the individual, it has been assumed that the individual wants to continue the **trust relationship** and therefore the individual must perform. **Performing to the insolvency** means that you must **contribute to the insolvency.** However, the individual does not have to stay bound to the debt of the public policy because it is ***"mutable by will."*** That is, the individual **must state his or her will or choice** and the law will uphold that individual choice to make public policy toward him of no effect. **HJR 192** is an ***Act*** that is open ended. That is, you can participate in

the **public policy** that **HJR 192** established or you can decline to participate.

It must be understood that in order to make **public policy** *mutable* by the **Will** of the individual, very definite legal procedure must be exercised along with the proper statute law. The **Statutes** must be exercised with the proper legal procedure to accomplish *"mutable by will"* viz., **state Probate Code,** along with ***15 Statute at Large*** published **legal notice by Declaration.** The **Declaration** is an express **testamentary Will** when it has been properly signed and witnessed and published.

Hanson v. Denckla/77 deals with the **14th Amendment jurisdiction.** The **trust** in dispute was a **private trust** set up according to **public municipal law** for **private purposes** in the **state of Delaware** without any third party relationship.

Prior to the **14th Amendment,** an exercise of jurisdiction over person or property outside the foreign state was thought to be absolute nullity, but the matter remained a question of state law over which the court exercised no authority. With the adoption of the **14th Amendment,** any judgment purporting to bind the person of the defendant over whom the court had not acquired **in personam jurisdiction** was *void* within the state as well as without. ***Pennoyer v. Neff,* 95 U.S. 714** Since the state is forbidden to enter a judgment attempting to bind a person over whom it has no jurisdiction, it has even less right to enter a judgment purporting the interest of such person and property over which the court has no jurisdiction. From ***Pennoyer v. Neff*** we come to the more flexible standard of ***International Shoe Co. v. State of Wash.*, 326 U.S. 310,** but it is a mistake to assume that this trend heralds the eventual demise of all restriction on personal jurisdiction of state courts. Those restrictions are more than a **guarantee of immunity** from **inconvenient** or **distant litigation.** They are a consequence of territorial limitations on the power of the respective states. However minimal the burden of defending in a foreign tribunal a defendant may not be called on to do so unless he had minimal contacts with that state that are a prerequisite to its exercise of power over him. This means that **Florida** had no relationship or contract that tied back to the **corpus of the trust** in **Delaware.** Therefore, the **14th Amendment** did not apply as to give **Florida** any jurisdiction. Even before passage of the **14th Amendment,** the court of ***International Shoe Co.***

sustained the state courts in refusing **full faith and credit to judgments** entered by courts that were without jurisdiction over a non resident defendant. **But it is essential in each case that there be some act by which the defendant purposely avails itself of the privilege of conducting activities within the forum state thus invoking the benefits and protection of its laws.**

The *"forum state,"* in the case of the **non-14th Amendment citizen,** is the **corporate municipal city of Washington, D.C..***"Full faith and credit"* means that we will recognize your laws if you will recognize our laws. So in this particular case, the **U.S. (S)upreme (C)ourt** was saying that **Florida** had no legal direct tie to the **corpus or body of the trust** and therefore they **had no full faith and credit under the 14th Amendment to give jurisdiction to act on.** The **U.S. (S)upreme (C)ourt** based their decision on the ruling of the **Delaware Supreme Court** who had ruled on the **corpus of the trust** and what the intent of the settler (the person who made the trust) was.

In other words, the **14th Amendment** can work in the favor of **non-14th Amendment persons** because it brings a dividing line down between the **Public Laws** and the **private laws.**

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Your Will Was Probated

It may come as a surprise to realize that your **Will** was probated the day you were born. Yes, it is true. The very day you were born by accident into the United States is the day you died to the Law of the Republic./78 In other words, by operation of law, you were born into the **corporate municipal legislative democracy** of **Washington, D.C..**

It is presumed that everyone born into this country since 1933 has wanted to be a part of the **public policy** of the **municipal corporation** of the **District of Columbia.** This is because the **public trust** was established by **public policy** when the gold was removed as a standard **in payment of debt.** Up until the gold was removed, less than 51% of the population was involved as **beneficiaries** of the **14th Amendment trust.** The moment the gold standard was removed, more than 51% of the population

automatically became members of the trust. This meant the **private municipal trust** could be moved into the **public sector** to become **public policy** because the amount of the population volunteering for the **benefits** indicated a public desire. In addition, the **trust** was confirmed by the **U.S. (S)upreme (C)ourt** decision of ***Erie Railroad v. Tompkins*** in 1938 saying *"there is no general federal common law."* In other words, it is now **presumed** that everyone is a **14th Amendment *"person"*** as implied by law and so silence on the part of the citizen **is his consent to be treated as a *"constructive trustee"* and as primarily being a *United States citizen.***

Despite the suspension of the fixed gold standard, the path to liberty for the individual lies in the **state court of probate** because the **general common law of the soil** still lies in the **state courts.**

> *"In the absence of the gold standard, there is no way to protect savings from confiscation through inflation./*79 *There is no safe store of value. If there were, the government would have to make its holdings illegal, as was done in the case of gold. If everyone decided, for example, to convert all his bank deposits to silver or copper or any other goods, and thereafter declined to accept checks as payment for goods, bank deposits would lose their purchasing power and the government created* ***bank credit*** *would be worthless as a claim on goods. The financial policy of the welfare state* [**14th Amendment trust**] ***requires*** *that there be no way for the owners of wealth* [**property**] *to protect themselves."*/80 [Bracket information added]

Make no mistake, Congress is going to re-establish the gold standard in the near future, but it will be unfixed. The establishment of the unfixed gold standard will not change the law back to the way it was before 1933. Just because the Congress re-establishes the gold standard does not mean the masses of people will automatically be back under **public municipal law.** It will still mean that if the individual wants to be free of the oppressive government of **private law,** it will take the individual effort for each to **expatriate** from the **democracy** back to the **Republic.** In reality, returning to the non-fixed gold standard will only instill confidence in the people via a hard money system in the now crumbling credit system that has only the belief of the people as its real value. In effect, those who **expatriate** now are under the non-fixed gold standard.

When the unfixed gold standard is re-established by Congress, those who remain as **14th Amendment citizens** will still be **14th Amendment citizens** under the **compelled performance** of the **democracy** despite the return of the gold standard. It will continue to be your right of choice as to whether you want to be governed by a **Republican form of government** under **public municipal law** or a **democracy** under **private law.**

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Real Property

There is absolutely no reason why anyone should lose his real property to this communistic system - **democracy.** The reason people do lose their property is because they are **14th Amendment citizens.** As **14th Amendment citizens,** you have only an **equitable interest** in the property. Technically speaking, you have legal and equitable interest, but you cannot execute upon the legal interest. This is because, as **14th Amendment citizens,** you have no access to the Law side of the court. With **equitable interest,** you cannot prove superior title to access the land as a **citizen of the soil,** which is the proper name for a **non- 14th Amendment citizen.** You must remember that it is your standing in the law that determines whether you have access to the Law to save your land. **It is not determined by the title to the land as all land titles in the United States of America are *allodial.*** Thus, land titles deal with land. Jurisdiction of the 14th Amendment deals only with the person in relation to his interest in the land. A commercial system cannot create credit against the substance of the common law - land. **They can only create it through the *person* under the 14th Amendment.**

Within the **Declaration of Independence, Thomas Jefferson** wrote:

> *"... all Men are ... endowed by their Creator with certain unalienable/81 Rights, that among these are Life, Liberty, and the Pursuit of Happiness -"*

You will notice that real property is not listed as an *"unalienable"* Right. This is because real property was the absolute substance that made the individual sovereign (absolute king in his own right) in America - it was the **common law.** In the feudal systems of Europe, the kings

and the church were considered as the absolute authority or sovereign, because they owned the land. **Jefferson** did not consider **real property** even remotely close to falling into an **alienable** or **unalienable Right** because the **substance of the land** was the basis of that **liberty.** Land could not be pledged in commerce because it is unmovable and is the substance of the **common law.** You cannot take sovereignty (*land*) from a sovereign. Sovereignty, after all, implies that nothing can be more supreme than supremacy so supremacy cannot yield its essence (*land*) to another. However, the sovereign can give sovereignty up by his or her choice - as per the **14th Amendment.** The people hold the land. If the land were considered to be a **substance** that could be **alienated** by the government, the government would be the sovereign or king and the people would be the serfs again as in Medieval Europe. Remember, **the land is the law.** He who controls the land controls the law.

> *"The power to alienate the unpeopled territories of any state, is not among the enumerated powers, given by the Constitution to the general government, and if we go out of that Instrument and accommodate to exigencies which may arise by alienating the unpeopled territory of a state, we may accommodate ourselves a little more by alienating that which is peopled, and still a little more by selling the people themselves."*/82

Within the **14th Amendment,** the people have had their property **reclassified** into an **alienable Right** as in **Roman civil law.** The result is that the people have been **sold into slavery (*serfdom*)** of the **trust. Thomas Jefferson** said, *"The land belongs to the living."* When a person is civilly dead to the law, he is as good as being physically dead - **he or she cannot own property in the absolute sense.**

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It's Pure Law

The question that often is raised by individuals who were aware of the hurdles of the court system is, *"How are you assured that you will be dealt with fairly in the court system?"*

First of all, we know the lower court judges are going to

be ignorant of **public municipal law** for private purposes or the separation of powers principles. They have been born and raised, so to speak, in the **trust system** and all its **Codes.** The only way we may get **due process** is to *Appeal* to the **appellate courts.** In other words, when you deal with **issues of law,** the lower courts want those issues dealt with by the more qualified higher courts.

The second question that follow is, *"How do you know the [s]upreme [c]ourt/83 of the United States will hear your case?"* Many may not know that there are two floors to the [s]upreme [c]ourt building itself. The second floor has not been used since 1933 when the people gave up their law - their gold. The second floor represents a higher law. It is that higher law that is being accessed with this approach. Anytime the higher law is at issue - U.S. constitutional issue - the [s]upreme [c]ourt has to hear the case. There is no option.

Fourteenth Amendment citizens do not have the prerogative of being heard at that level of law because they are operating **at law** outside the Constitution.

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Take Back Your Estate

It seems that if one seriously questions the government's tax and economic policy, or challenges the tax collecting agencies, that he will be labeled a *"tax protester."* Remember, a *"tax protester"* is a **14th Amendment *person*** who is required to file a return and pay a tax. However, you must take aim at the agencies that are the **trusters** of your **estate** and when you do, you will be dealing directly with the **Internal Revenue Service** and the taxing agencies of your state. Taking back your estate means **revoking the gift held in trust** - *"constructive trust"* held by the taxing agencies. [Review footnote 24 on **constructive trusts**]

Starting the process of moving your **political choice** back under **republican laws** requires that you **state your Will.** That is, you must make a public declaration of what your **political Will** is under the Constitution. Do you want to be a part of the **public policy** - the trust - or do you want to be able to use **public municipal law** for your **private benefit.** Making your **Will** known requires that your **declaration** be specific as to your desire about severing

the **trust.**

It is generally recognized that the acceptance of a beneficial testamentary gift, **evidenced by signing a *IRS W-4 form* or similar tax form,** will convey the same results as **voting.** The opinion has been frequently expressed that renunciation of such a gift, in order to be effective, must be express, clear and unequivocal, as by some **positive act** or **statement** of the **beneficiary.**/84 The following could be your **Will** by declaration and thus your **political decision** to choose the **Republican form of government.** Pay attention to the content of the sample declaration. **Content is important.**

Declaration of Independence

I, John [and/or Jane Doe] in the name of the Almighty Creator, By [my/our] Declaration of Independence solemnly Publish and Declare [my/our] Right to expatriate absolute, [my/our] res in trust to the foreign jurisdiction known as the municipal corporation of the District of Columbia, a democracy, and return to the Republic. Any and all past and present political ties implied by operation of law or otherwise in trust with the democracy is hereby dissolved. I, John [and/or Jane Doe] have full power to contract, establish commerce as guaranteed by the full 10 Amendments to the Bill of Rights to the Constitution of the [u]nited States of America, a Republic.

So Done this _____ day of _____, 19____.

Signed, _____

Address

_____

Affirmed and subscribed before me this _____ day of _____, 19___

Name of Notary _____

Notary Public Seal

Publishing your **Declaration of Independence** according to your state's **Legal Notice Statute** fulfills this requirement. Some states require the **Legal Notice** to be

published only once, other states require three times, some more, etc.. Check your **Legal Notices** in your state Statute books. **Note:** Some newspapers will want to put the declaration under **Public Notice** which is OK.

A word of caution. Some people have filed their *"Notice"* in the court without advertising in the newspaper. If your state Statute books require a *"Notice"* to be published in the newspaper and you do otherwise, the system does not have to recognize the *"Notice,"* so beware.

You must start your process of severing the **Trust** by filing your **Declaration of Independence.** Once you have filed it and it has been advertised, the newspaper will send you back an **Affidavit of Publication.** This will be one of the *"Exhibits"* you will use as evidence to the **probate court** of your **will.**

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What Have You Lost Or Gained

In the **14th Amendment trust,** you were offered **benefits.** When you move back to the Republic, you lose those benefits and you gain freedoms. Here are a few examples.

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Table 2

WHAT HAVE YOU LOST OR GAINED	
LOSES	**GAINS**
Relative property rights	Absolute property rights
Compelled performance, guilty until proved innocent	True liberty to volunteer, innocent until proved guilty
Social Security	Develop own security
All government aid	Pursue interests without interference
Government supervision	Develop own standards
	Only direct taxes. Truer

Indirect Taxes	value to every dollar one earns from financial pursuits
Licenses	Full right to contract with anyone for anything without licenses

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Be Your Own Lawyer

Did you know that your state's **Attorney General's office** is not within the true government (non-commercial) complex? In fact, you may find it housed with the tax collecting and enforcing agencies. This is because they are there only to handle **private law** for **public commercial purposes.** This is why all **attorneys** have the title *"attorney at law."* They are only licensed to practice **private law** for **public commercial purposes.**

Only the individual, as a **non-14th Amendment citizen,** can be an attorney *"in law."*/85 This is because you, as the governed, control the absolute law when in the Republic. You can exercise control over the grant that authorizes those who have the privilege - franchise - to use private *"at law"*/86 and its **equity** for **public commercial purposes.** In other words, the individual has the power, as a **citizen of the Republic,** to torpedo and destroy **private commercial law** ventures that are being misused for **public commercial purposes** to his or her detriment.

We are each personally obligated by the **Declaration of Independence** to individually challenge unjust **private law,** making unjust **commercial policy** that violates our personal liberty. When we all personally and individually gain the inspiration of the **Declaration of Independence** as the early citizenry of this country did, we will each see *"... a long train of abuses and usurpations ... to reduce them [us] under absolute despotism, it is their [our] right, it is their [our] duty, to throw off such government, and to provide new guards for their [our] future security. ... to alter their [our] former systems of government."* Each of us functioning in this individual capacity can act as a

majority to destroy the *"despotism"* of **private law** operating as **public policy** opposing our absolute freedoms.

In the Republic, the majority does not rule - **the individual rules.** The Constitution is designed to protect the minority from the majority because it provides for the private individual to use **public laws** to protect his personal belief system from the majority.

If you decide to pursue **expatriation** by using ***15 Statute at Large*** and filing your **declaration,** you need to be aware that **you cannot use as *precedent law* that others have gone this way before you.** In other words, you cannot use the fact that someone else has **expatriated** and gone through the **probate court** to have their **trust** under the **14th Amendment** severed as a reason why the court should act only on your behalf. Each case is individual and separate and is based on pure **Statute** and **case law.** What Joe Blow does has no bearing on your case in the court.

Licensed lawyers are not going to be of any help. Typically they are only familiar with **pleading the Codes** under the **14th Amendment.** In fact, their title *"Attorney at Law"* says it all. It means they are **licensed to practice in private commercial law.** They can only function in ***Article I courts*** **at Law.** Few attorneys will even understand this subject because they are schooled that the state is sovereign.

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The Constitution

As a political document, the **U.S. Constitution** is little read and poorly understood. Yet it outlines the incredible ways that a truly free people can obtain and retain liberty. Unless certain aspects of its structure and meaning are understood, it will be impossible to realize the true genius of the document as it reveals the pure principles of liberty.

The **Constitution** embraces two systems of law.

> **First,** public municipal law for private purposes operating in personam (in and for the individual person).

Second, private law for public purposes operating in rem (in and for property or anything that has nothing to do with the individual).

What is hard to initially understand is that the men who wrote this document wrote it in such a way that it would allow for the very things that government is doing today that we detest so much. All of the despicable **Regulations** and interference of *"big brother,"* with his detested heavy-handed tactics are all properly allowed by our Constitution. They are perfectly legal. This is because the United States government is allowed to operate outside the Constitution because it is operating in **private Roman civil law.** It is not treasonous for it to carry on the way it does, but it is treasonous that the citizenry are ignorant of their republican rights that can keep the government in check by removing the **Roman civil law.**

Of the two systems of law that the Constitution embraces, the entire population have been herded, over the years, into operating only in the **private unilateral contractual side.** This is the side where we have volunteered unknowingly into giving up the part of the Constitution that was designed to keep the **private law** out of **public policy** if used, accessed and maintained by the people.

What is unfortunate is that the citizen continues to assume that voting is making their desires known and that the government basically has the interest of the individual in mind. All the time unaware that **private corporate business interest** is what the government is there for (at this point) because the house of the Republic of the [u]nited States of America (ignorantly vacated) remains empty.

Table 3 is an attempt to contrast the two sides to the Constitution and how you are affected by them when you are operating in that area. The statements are intended to be self- explanatory. This table may form the basis of seminar discussions on moving yourself back into the Republic.

CONSTITUTION
OF THE
UNITED STATES OF AMERICA

#

CONSTITUTION OF EACH STATE

#

GENERAL COMMON LAW

Index.

Table 3

THE TWO SIDES TO THE CONSTITUTION	
Political Constitution	**Economic Constitution**
Statutes at Large (positive law)	Code Pleading (non positive law)
Bill of Rights	Amendments 11 to 25
in Law ("in jure" = in law by right)	at law
Article III Courts of judicial Power in Law and Equity	Article I Courts also called Territorial Courts - referred to as Legislative or Ecclesiastical Courts
Law of land Negotiable Instrument Law - all debt must be paid	Law of sea Limited liability in maritime venture for payment of debt
Statutes are public municipal law to be used for private purposes - acts on person (in personam)	Revised Statutes are private national law for public purposes "in rem." Rem acts on the "res" or "the thing."
de jure government (inside Constitution)	de facto government (outside Constitution) Art. I, Sec. 8, Cl. 17
General Law Sustained by "Swift v. Tyson"	Local Law Sustained by "Erie RR v. Tomkins"
Gold Standard	Uniform Commercial

Public Law Merchant uses no inflation - true productivity productivity is key. Prices at par value	Code Private Merchant use inflation to fund growth - false production. No fixed standard
Bilateral Contracts Where there is a meeting of the minds. Two party transaction. No compelled performance.	Unilateral (implied) Contracts Where there is a silent third party involved in compelling performance. Trust Law.
Common Civil Law jus non scriptum	Roman Civil Law Admiralty-Maritime Privilege jus pontificum fas (ecclesiastical-church law)
Absolute Rights and title to self and property. Substance of Public Law is the rights of man.	Relative Rights to self and property. Substance of private law is the conscience of trust.
Operates under Art. IV, Sec. 4, "No corruption of blood" (cannot interfere with estate)	Operates under Art. I, Sec. 8, Cl. 4 - (can interfere with estate under private "implied" contracts)
Non-14th Amendment individual	14th Amendment "person"
Private individual	Individual considered commercial person or "goods in commerce" for servicing public debt. Also referred to by state as "human resource."

Freedom of conscience of individual, beholding to no one.	Freedom of consciense as long as it agrees with the majority or the masses.
Democratic Republic "states in this union"	Administrative Democracy "several states of the union"
"the" territory	"a" territory
Separation of Powers (separation of church and state)	No separation of powers (no separation of church and state)
No communal relationship	Confederacy under Articles of Confederation and N.W. Ordinance.
Direct Taxes	Indirect Taxes
15 Statue at Large is designed to keep federal courts from taking jurisdiction. Courts cannot take judicial notice of 14th Amendment.	All courts take jurisdiction through the 14th Amendment until one proves otherwise. Codes are streamlined private interpretation of statutes at large for public purpose. Codes allow the courts to take judicial notice of 14th Amendment. Codes apply to anyone who has not made a public notice of his political choice (Will) by declaration.
Doctrine of compliments Special individualism	Unisex No individualism
Innocent until proved guilty.	Guilty until proved innocent.

Burden of proof rests with the accuser.	Burden of proof rest with the accused.
Plead to the Law or Statute for defense. Law awards damages and Equity on this side. Compels performance of award.	Res judicata - judgment bases on merits of case and legal precedence. Courts tell what the intent of legislation. Issue already decided, have no legal recourse.
Fixed in place and time as in permanent domicile or resident. Real-substance matter and content. Heart-Soul-Spirit	Twilight Zone, Quasi Law. No time and place. Only exist in abstract space. Artificial-abstract false and theoretical, Conscience, Changeable.
Individual incentive and true production.	No initiative and no true production.

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Political Action Groups

If you are trying to be involved in shaping **public policy,** you are trying to use **private law** for **public purposes** or **private church law** to manipulate **public commercial policy.** No one really wants to have a church or another individual, without the option of choice, dictate what he should think or do. Yet what is happening with special interest groups is just that. **Political action groups,** also called **special interest groups,** i.e, environmental, health, labor, industrial associations, state, county/borough/city coalitions, religious foundations, etc., are nothing more than individuals who have banded together because of a common belief of conscience. Their endeavor is to put pressure on the lawmakers of the **14th Amendment trust** to pass laws that favor their beliefs. If they are successful, then the laws that result become the **policy of the trust** that bind the rest of the **14th Amendment trust**

beneficiaries whether they like it or not. If they don't, then another special interest group is formed to try and counter the previous one and so it goes, ad nauseam. The politicians become the pawns of the most powerful special interest groups.

The only way to change **public policy** is to prevent **private law** from having any part in making **public policy.** This can only be accomplished by each individual acting separately and independently using **Public Laws** for **private purposes.** The only way the individual can do this is to move out of the **public charitable religious trust** that is making the **public policy** and take back his estate into his absolute control. Remember, **Public Laws** are laws that guarantee separation of powers so **private conscience laws** cannot dictate **public policy.** All **political action groups** have failed to make any difference, because of their inability to recognize that our nation was established first and foremost as an assembly of individuals acting independently in their own best interest without harm to another - **basic general common law.**

Even if **political action groups** went so far as to foster a constitutional convention, the basic Constitution could not be changed. What the citizen is unaware of is that the first **ten Amendments** to the **Constitution,** called the **Bill of Rights,** were passed as **public *in Law* Amendments** by the *"states in this union"* known as the **Republic of the United States of America.** These do not apply to the *"several states"* that are **political subdivisions** of *"a territory"* of the **14th Amendment trust** of the **District of Columbia** called the *"democracy."* In the opposite vein, **Amendments 11 through 25** were passed as **private *at law* Amendments** by the *"several states"* operating as **political subdivisions** of the **trust** and have no application to the Republic and its citizens. **Amendments 11 through 25** function outside the **Constitution.** Any additional Amendments that would be added by a constitutional convention would be added as more **private law** only by the *"several states"* as a *"democracy"* outside the Republic and its Constitution. The more Amendments the democracy wants to add will not give more freedom and rights, on the contrary, **only more oppression and control.**

Any special interest group who says that the Constitution is going to be changed and/or repudiated in the future does not understand what it is talking about.

First, because the **repudiation of the Constitution** was started by the passing of the **14th Amendment** in 1868 and **completed by the people giving up their law (gold) in 1933** to move out from under the Republic and its absolute constitutional protected rights to **parliamentary democracy,** and

Second, because the basic **Constitution of the Republic** can only be changed by the people of the Republic and there is nobody living there. The only changes to the Constitution that the **14th Amendment trust democracy**, and its political interest groups, can make as to the Amendments that it made for itself and its citizens - **that only comes with more control and oppression.**

As long as the people of the **democracy** continue to function under the group mentality (based on mob rule of opinion polls under the **Roman civil law**), more and more demands are put on the **private commercial system.** The more **claims for benefits** from the system, the greater the **tyranny** and **oppression** required to make the people perform to the **debt** and the **interest on the debt** that is created in order to supply the peoples demands. It is the **debt,** and its **uncontrolled interest,** that is causing the production of the American worker a halt. He is being taxed in ever increasing amounts and ways to try and pay for the **national debt** he has unknowingly and voluntarily demanded by his silence, **a silence that is financing his destruction.**

Government produces nothing, it can only take away. Why can't the people see that the same thing is happening in the government today that happened in those 147 communist social experiments in the early days of our country? The non - producers overwhelmed the producers to cause a total collapse of the commune.

It is bizarre how the people of our nation sense something is drastically wrong, both politically and economically, and yet keep making all manner of **beneficial claims** (now they are pushing for **national health insurance**), the very cause of our national economical illness. It seems that no none can see the forest for the trees. No one can see that they must unequivocally stop all demands from the government and become self-sufficient at all cost. When individuals change their standing in the law from **14th Amendment citizens,** dependent on the **social insurance trust,** to **non -14th Amendment citizens** who

are self-sufficient operating under the **Public Law merchant** - our nation will change and not before.

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Postscript

Having been exposed to most of the information from various factions of the *"patriot"* sector on how to get back our rights under the Constitution, none have ever addressed the real issues of law. The groups that are claiming victories in their skirmishes with big brother are not winning on issues of law, rather the wins are nothing more than the result of technical knockouts. Their skill at discovering procedural fouls of either rules or Codes that govern the system they are an intimate part of, is the measure of their success or failure. Even with a legal win, under the **14th Amendment trust and its conscience,** there is nothing to prevent the **trust** from institution new proceedings at a later date. This is because the **conscience of the trust** is altered according to expediency. The real issues of law, that are the foundation of our political system, continue to evade the so-called *"patriot."*

> *"If laws are to have a binding force, it follows that, in view of the right of self-consciousness, they must be universally known ... . To hang the laws so high that no citizen could read them* (as **Dionysius the tyrant** did) *is injustice of one and the same kind as to bury them in row upon row of learned tomes, collections of dissenting judgments and opinions, records of customs, etc., and in a dead language too, so that* ***knowledge of the law of the land*** *is accessible only to those who have made it their professional study."*/87

Hegel's comments are extremely appropriate for today even though they were written in the last century. What has been discovered is comparable to a revisiting of the chambers where our founding fathers met in secret. They purposely disguised some of the language in terms that would not allow tampering and loss of basic issues of law that are the foundation of the Republic. A foundation based on the **common civil law** without the **private conscience** of any **church/charitable organization.**

Yes, it is the peoples' fault - our fault for allowing a complacency about our liberty to put us to sleep. In the

beginning of our country, every household studied the **law** as much as they studied their **Bibles.** They came to appreciate knowing and using the Law more than any modern day attorney. However, gradually the **professional attorney at law** dominated the political picture and this led to our lawmakers being better informed in **private law** for **commercial purposes,** because it was their specialty. Thus, our government and its vast majority of **private *"at law"* law** makers turned its citizens into people who only knew what it was like to operate under **private church law** controlling **commercial public policy.** This has given us a school system, both public and private, that is graduating students who have no idea what absolute freedoms of the Constitution mean. Students are born, bred and raised on the prejudice toward an old communal democracy being advertised as the **New World Order** where the state is sovereign, not the individual.

From the historical records, it is evident that our forefathers knew that at some point beyond their time, the majority of people of this nation would get enticed and prejudiced into an economic jurisdiction that would become repugnant. The Constitution allowed those repugnant jurisdictions, but it also made provision for one to walk away from them anytime they would individually choose. Knowing the law will allow one to do it and that is what this **Treatise** is all about.

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FOOTNOTES

1.

George Rapp's commune in Harmony PA. was moved to **Evansville, Indiana.** After a time was sold to **Robert Owen,** when **George Rapp** moved to **Economy PA,** just north of **Pittsburgh.** The physical remains of both communes have been converted to historical sites today.

2.

Private property as meant by **Fourier** was in reality

Quasi private (seemingly but not really) and not allodial as was established in (u)nited States of America.

3.

*"An **Association** is an assemblage of persons (from four to eighteen hundred) united voluntarily for the purpose of prosecuting, with order and unity, the various branches of Industry, Art and Science, in which they engage; and of directing their efforts, energies and talents, in the best way for the happiness and elevation of the whole."*

4.

"... rule by the entire adult male citizen body, known to later detractors as `ochlocracy' or mob rule." Burns, J.H., **The Cambridge History of Medieval Political Thought,** Cambridge University Press, 1988.

5.

Smith v Allwright, 321 U.S. 649, 88 L.Ed. 987, 64 S.Ct. 757, 151 ALR 1110, reh den 322 U.S. 769, 88 L.Ed. 1594, 64 S.Ct. 1052.

6.

Weldon, T.D., *"The Vocabulary Of Politics,"* 1953. **Weldon** was a Fellow of the College and Tudor in Philosophy, Rhodes Scholar.

7.

Karl Marx, *"Communist Manifesto"* of 1848.

8.

Sokoloff v National City Bank of N.Y., 239 N.Y. 158, 145 N.E. 917 [1924].

9.

Article IV, Section 4 of the Constitution of the (u)nited States of America.

10.

Hale v Henkel, 201 US 43 (1905).

11.

Ruling Case Law, Vol. 5, Section II, *"Adoption of English Common Law in America."*

12.

Jefferson to Monroe, May 20, 1782, **Jefferson Papers,** IX, p. 380, Boyd Edition. Excerpt from the book *"The Creation Of The American Republic,"* 1776-1787, (p. 610) by Gordon S. Wood, 1969.

13.

Freytag v. C.I.R., 111 S.Ct. 2631 (1991).

14.

The word (u)nited, as in (u)nited States of America shows that it is not a proper noun as in the original and actual use of the word, and it is not misspelled.

15.

"A case in admiralty does not, in fact, arise under the Constitution or Laws of the United States." **American Ins. Co. v Canter,** 1 Pet. 511, 545 (1828).

16.

Burns, J.H., **The Cambridge History of Medieval Political Thought,** Cambridge University Press, 1988, pages 65-68.

17.

Rand, E.K., **Founders Of The Middle Ages,** (1928) Chapter 1.

18.

Black Letter Law referred to the laws of servitude to the church or king. **Black** was representative of the unquestioned authority of the priest's dictates.

19.

Luke v. Lyde, 2 Burr. R. 883-887.

20.

Letter to Judge John Ryler, June 17, 1812 by **Thomas Jefferson.**

21.

Letter to Dr. Thomas Cooper, February 10, 1814 titled *"Christianity And The Common Law."*

22.

Ibid.

23.

Letter - Lincoln to H.L. Pierce., 1859

24.

A **constructive trust** because of inferred or presumed intent of a property owner, as distinguished from a trust based on intent, which is directly or clearly expressed. A **constructive trust** is a remedial device of the court of equity for taking property from one who has acquired or retained it wrongfully and vesting title in another in order to prevent unjust enrichment. It is not based on intent of the parties, but rather is created by the court in order to achieve an equitable result. This is precisely what the **IRS** or any other authority does. They construct a trust, based on your silence, under executive and legislative authority to prevent unjust enrichment upon its **14th Amendment beneficiaries.**

25.

"... the Goddess Minerva ... who sprung full-grown from the brain of Jupiter, typify the political birth of California, which became a state without probation as a territory." From **March Fong Eu,** Secretary of State.

26.

The **common law** is referred to as the *"general (commercial) common law"* to remind readers that, in early nineteenth century usage, *"common law"* was a general (commercial) common law shared by the American states rather than a common law of a particular state.

27.

Fletcher, William A., *"The General Common Law and Section 34 Of The Judiciary Act Of 1789: The Example of Marine Insurance,"* **Harvard Law Review,** Vol. 97, No. 7, May 1984, page 1515.

28.

When the people lost their law by the removal of the gold standard, they automatically were assumed to be accepting the trust relationship and its benefits. When a private charitable trust has at least 51% of population participating, it becomes a public trust.

29.

Strayer, Joseph R., **On The Medieval Origins Of The Modern State** [1979].

30.

78th Congress, 1st Session, Jan. 1, 1943 to March 1, 1943. Words of **Mr. Edwin Arthur Hall** on January 27th. This was the year that personal income taxes started.

31.

Wills, Gary, Inventing America, **Jefferson's Declaration of Independence,** quoted from Jefferson's Commonplace Book.

32.

Swift v. Tyson, 16 Peters 1 (1842).

33.

Erie Railroad v. Thompkins, 304 U.S. 64.

34.

Referring to the individual person or *"the person."*

35.

Referring to general things of possession called *"the thing."*

36.

Wong Kim Ark, 169 US 649.

37.

Collins, Charles Wallace, M.A., Fellow in University of Chicago, Member of the Alabama Bar, **The Fourteenth Amendment And The States: A Study Of The Operation Of The Restraint Clauses Of Section One Of The Fourteenth Amendment Of The Constitution Of The United States.**

38.

Washington's *"Farewell Address"* to the American People, September 17, 1796.

39.

11th Congress, 3d Session, No. 294, President Madison's Objections to the Bill *"Incorporating The Protestant Episcopal Church In The Town of Alexandria, In The District of Columbia,"* Communicated to the House of Representatives, February 21, 1811.

40.

40th Congress, 1st Session, Ex. Doc. No. 6, House of Representatives, Protestant Church at Rome, Message from the President of the United States, March 15, 1867.

41.

A private court of the king to enforce his arbitrary proclamations and demands.

42.

A document issued from the kings court (court of chancery) to aid in enforcing its decree to bring about a change of title to real and personal property.

43.

Frommer's Washington D.C. by Rena Bulkin and Faye Hammel, page 157, [1989-1990]

44.

SUBJECT TO. Liable, subordinate, subservient, inferior, obedient to; governed or affected by; provided that; provided; answerable for. **Black's Law Dict.** 4th Ed.

45.

Coleman v. Miller, 307 US 433, 83 L.Ed. 1385, 122 ALR 695.

46.

Jewett v. Commissioner of Internal Revenue, (1982) 455 US 302, 311; 71 L.Ed. 170, 176; 102 S.Ct. 1082.

47.

Beys Afroyin v Dean Rusk, Secretary of State, (1967) 387 US 253, 18 L.Ed.2d 757, 762.

48.

Davis v Beason, 133 US 333, 10 Sup.Ct. 299, 33 L.Ed. 637.

49.

Thomas v Collins, (1945) 323 US 516, 89 L.Ed. 430, 65 S.Ct. 315.

50.

Webster's Dict. 1947.

51.

Ibid.

52.

Johnson's Universal Cyclopedia, 1891.

53.

Latin Dict.

54.

Ibid.

55.

15 United States Statutes at Large, Ch. 249-250, pps 223-224, Section 1, R.S. 1999, 8 USC 1481.

56.

Briehl v. Dulles, 248 F2d 561, 583 at footnote 21, (1957).

57.

"This is the greatest danger that today threatens civilization: State intervention. Society will have to live for the government machine. And as, after all, it is only a machine whose existence and maintenance depend upon the vital supports around it, the state, after sucking out the very marrow of society, will be left bloodless, a skeleton, dead with that rusty death of machinery, more gruesome than the death of a living organism. The whole of life is bureaucratic. What results? The bureaucratization of life begins about its absolute decaying all order. Wealth diminishes, bursts are few. Then the state, in order to attend to its own needs, forces on still more the bureaucratization of human existence [the militarisms of society]." Gasset, J. Ortega, **The Revolt Of The Masses,** [1932] page 132-133 (Excerpt from Political Institutions, A Preface page 56 [1938] by Edward McChesney Sait, Professor of Political Science, Pomona Collage)

58.

Ibid.

59.

"Democracy," from **Dictionary Of The History of Ideas,** Vol. 1, 1973

60.

Funk v U.S., 290 U.S. 371 (1933)

61.

Wheaton v. Peters, 8 Pet. 591

62.

Political Commerce is also referred to as the *"Private Law Merchant."*

63.

Swift v. Tyson, 16 Peters 1 (1842).

64.

Civil Commerce is also referred to as *"Public Law Merchant."*

65.

Clearfield Trust v. United States, 318 U.S. 363, 63 S.Ct. 573.

66.

There were many influential Americans who were interested in **Owen's *"New View of Society."*** Among those were **Chancellor James Kent** who wrote Commentaries on American Law. **Jonathan Mayhew Wainwright,** Bishop of Grace Church of New York, **John McVickar** of Columbia University, **David Golden** former Mayor of New York City, **Supreme Court Justice Joseph Story.** All had talks with **Owen** on his communatarian ideas. Later **Owen** was granted the ***Hall of Representatives*** in the Capitol for presenting his ideas. First time by **Henry Clay** the speaker, and second by **President John Quincy Adams,** Ex-President **James Monroe,** members of the cabinet, the Supreme Court and the Congress.

67.

The **common law,** as referred to here, had to do with the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs, and in this sense, particularly the ancient unwritten law of England. **15A C.J.S.**

68.

Erie Railroad v. Tompkins, 304 U.S. at 64 (1938).

69.

Stanek v. White, 172 Minn. 390, 215 N.W. 784.

70.

Clearfield Trust v. United States, 318 U.S. 363, 63 S.Ct. 573.

71.

See **Public Law 88-243-244, 77 Stat. 630-775, 88th Congress, 1st Session,**December 30, 1963.

72.

Res Lat. The subject matter of a trust or Will. In civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. By res, according to the modern civilians, is meant everything that may form an object of rights, in opposition to persona, which is regarded as a subject of rights. It is everything that may form an object of rights and includes an object, subject-matter or status. **In re Riggle's Will,** 11 A.D.2d 51, 205 N.Y.S.2d 19-22.

73.

American Law And Procedure, page 186.

74.

This includes all the debt of bankruptcy that takes place in this country. As this treatise was receiving last minute changes, the national news broadcast the story of the largest corporate bankruptcy that has ever been filed. The company is **Olympia and York.** They have an estimated debt of 18 billion dollars. All the **14th Amendment citizens** are going to have the privilege of helping cover the part of the 18 billion that effects the public social trust.

75.

"The Exercise Of Jurisdiction In Rem To Compel Payment Of Debt.", **Harvard Law Review,** Vol. XXVII., No. 2., December, 1913.

76.

"Public Policy" mutable by will as spoken of in **Funk v. United States,** 290 U.S. 371.

77.

Hanson v. Denckla, 357 U.S. 235 (1958).

78.

Civilly dead: dead in the view of the law; the condition of one who has lost his civil rights and capacities, and is accounted dead in law.

79.

Not being subject to the **14th Amendment** and its tax codes can reduce the loss of value of your money, because you are not losing it to the **trust.**

80.

Alan Greenspan (1962), Chairman of the Federal Reserve Bank. Source Remnant Review, Newsletter, (June 16, 1989).

81.

Rights that cannot be taken from you or transferred to another by government. You can, however, give these Rights up of your own free will without government interference.

82.

Wills, Gary, Inventing America, **Jefferson's Declaration of Independence,** quoted from **Jefferson's Commonplace Book,** pages 142-47.

83.

Supreme Court in its usage here is not capitalized, as in the original Constitution, to show that it is functioning as an Article III court.

84.

Peter v. Peter, 343 Ill 493, 175 NE 846, 75 ALR 890; **People v. Flamagin,** 331 Ill 203, 162 NE 848, 60 ALR 305; **Mackey v. Bowen,** 332 Mass. 167, 124 NE2d 254; **Garfield v. White,** 326 Mass 20, 92 NE2d 575; **Perkins v. Isley,** 224 NC 793, 32 NE2d 588; **Bacon v. Barber,** 110 Vt 280, 6 A2d 9, 123 ALR 253.

85.

To function *"in law"* means to function where the courts reveal your position in the Law which is not restrictive, because they are involved with promoting and expanding your unalienable rights by way of constitutional mandate.

86.

To function at law and its equity means to function where the courts declare the law which is the will of the legislature in trust with the person. It is restrictive in nature, because there is no constitutional mandate due to the fact that it operates outside the Constitution.

87.

Hegel's Philosophy of Right, page 215.

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