



American Freedom Network  
Freedom Forum with John Bryant  
Interview of Eric Wesley Lynch

John: You're listening to the American Freedom Network. We're going to cover some basics of freedom and law with Eric Lynch tonight, and Eric, it was John Quade and Richard McDonald who have talked about the issues of how you spell your name and the concepts of the non-statutory abatement.

Eric: I don't know too much about the non-statutory abatement. However, we need to tell people that when they read these laws, they have to use *Black's Law Dictionary* and not *Webster's Dictionary* because the words mean something totally different, and this is for people who are not familiar with the so-called patriot movement.

John: I'd like to start with the concepts first and then you can back it up with the facts.

Eric: When you look up the word "title" in *Black's Law Dictionary*, it explains how names are written differently, this is one of those concepts that is called "title," and *Black's* says:

**Title.** A mark, style or designation, a distinctive appellation. The name by which anything is known. Thus, in the law of persons, a title is an appellation of dignity or distinction, a name denoting the social rank of the person bearing it, such as Duke or Count.

When you look up "style" in *Black's* it says:

**Style.** As a noun, the title or appellation of a person.

So each way you write your name is a distinctive style or appellation, or different way of doing it, and it means something different, and it designates the social rank of the individual. The style or appellation designates the social rank of the individual, and that is equivalent to status. So your name denotes your status, and that has been so throughout history.

What happened is that **when they switched from law and went into equity**, and that is primarily because the country went bankrupt and we have no more gold, being that **the sovereign was the natural person with the two names written in upper and lowercase letters, they had to give you the same benefit, or the same privilege or right on the other side in equity**. And that person was called a **non-resident alien, someone who is not subject to the jurisdiction**. And these are terms out of *Black's*. So when the person reads the law, they must read it in terms of *Black's Law Dictionary* or a law dictionary and not in terms of *Webster's* because the words mean something totally different.

The second person I want to deal with is **the person in all capital letters, and that person is called a vessel of the United States**. You find that in the *United States Government Printing Office Style Manual*. You can find that in most law libraries. In section 11.7 it says, "Names of vessels are quoted in matters printed in other than lowercase roman." And it shows a vessel written in all capital letters.

A vessel of the United States has been defined in Title 18, section 9, "Vessels of the United States

Defined. The term vessel of the United States as used in this title means a vessel belonging in whole or in part to the United States or any citizen thereof or any corporation created by or under the laws of the United States or any State or Territory or district or possession."

Insurance, which is the social security, is under admiralty law.

*Benedict on Admiralty, Admiralty Law, Title 22 – Foreign Relations, Sub-chapter I – Shipping and seamen, Part 81 – General, 22 C.F.R. § 81.1, Definitions.*

(b) American vessel means any United States-owned vessel which is not registered under the laws of a foreign government, vessels of the United States, and American undocumented vessels.

(c) American public vessel means any vessel owned or operated by a United States Government department or agency and engaged exclusively in official business on a non-commercial basis.

(d) Vessel of the United States means any vessel documented under the laws of the United States.

(e) American undocumented vessel means any American vessel, other than an American public vessel, which is not documented under the laws of the United States. . . .

(f) Foreign vessel means any foreign-owned vessel, or any vessel regardless of ownership, which is documented under the laws of a foreign country.

(i) Seaman means any person employed as a member of the crew of a vessel.

(k) Alien seaman means a seaman of foreign nationality who does not have status as an American seaman."

**22 C.F.R. § 81.3, Status of Vessels of the United States.** Vessels documented under the laws of the United States are entitled to privileges and subject to the obligations prescribed by the laws of the United States for merchant vessels. The type of privileges and obligations appertaining to such vessels depends upon the form and the purpose of their documentation.

**22 C.F.R. § 81.4, Status of American Undocumented Vessels.**

**American undocumented vessels are not under the jurisdiction of the United States, and consequently are not subject to the obligations nor entitled to the protection** accorded vessels of the United States abroad. However, such vessels are entitled to the same degree of protection accorded any other property abroad owned by United States citizens.

. . . Well that was one problem. It is typically a vessel which is registered, enrolled or licensed. So anyone who is licensed, registered – you have to register your car and register your property – these are all vessels belonging in whole or in part to the United States. And that's where that comes out of, when they extrapolate it for the admiralty.

**So when a person goes down and signs up for social security, they are creating a vessel in all capital letters.** When you walk into the social security office, you have to have a birth certificate. **Many people are saying the birth certificate is our enemy. In reality, it is our friend.** You find that in the old law books. I found a book written almost a hundred years ago, put out by the National Law Library, called *The History and System of the Common Law*. It states, regarding persons:

In law, PERSONALITY means capacity of having, acquiring and exercising rights, using the term in its widest sense. A legal person is an entity having interests which the law recognizes and secures, or, as it is commonly put, a subject of rights. The type is the individual human being, as a natural person, and in modern law every human being, as a natural person has also a legal personality.

Juristic personality begins when the legal requirements for recognition of a group of associates as a legal person have been fulfilled, and the law in consequence clothes the association with the capacity of exercising a legal control over or influence upon the acts of others. Natural personality, the legal personality of the individual human being, begins upon birth and survival of birth.

When you get your birth certificate, that is when the person with the three names comes into existence, and that is your remedy in equity. **If a person were to put all of his property under the name on the birth certificate, that is written in upper and lowercase letters, that person's property would be protected – and if he doesn't use a social security number – will be protected from the government, because that is considered in law as a foreign situs trust.**

You find that when you look in *Black's* under trust. Under trust there is a place that says "**foreign situs trust,**" and it says "**A trust which owes its existence to foreign law. It is treated for tax purposes as a non-resident alien individual.** Many of us in this movement have heard of that expression, but what we didn't know is that it is a trust, because **all of equity is a trust.**

There are many things in this movement that I've heard about the birth certificate being our enemy, and it is actually our friend. There are two types of birth certificates that are issued. A friend gave me the two birth certificates. One is called a Certificate of Live Birth, which has the names written in upper and lowercase letters. There is another one called a Certification of Vital Records, State of Colorado, and that is written in all uppercase letters. So when a baby is born now and it gets a social security number, they very seldom get a Certificate of Live Birth now. They get a Certification of Vital Records, and the person written on it is in all capital letters, and that is considered a vessel of the United States owned in whole or in part by the United States.

The 14th Amendment created the status of "person." There are two constitutions. One is based upon law, and one is based on equity. The Colorado Revised Statutes 1868, which I have a copy of, in that volume, the first 10 amendments are not called amendments. They are called articles. And there is a missing 13th amendment, which is the 13th article. When a person gets up in the court, and you've heard that argument on the 13th amendment which is to prohibit lawyers from being in government, they bring up the 13th amendment and the judge says "That was never ratified." And he is correct. Under their new constitution, it was never ratified as an amendment. Under the original constitution, it was added as an article, and it was the 13th article. And the 14th article, which is neither slavery nor involuntary servitude, is now the 13th amendment.

They re-did the constitution shortly after the Civil War, creating our constitution under equity. There are a lot of people who go around saying that a lot of the laws of the United States are unconstitutional, however, that is patriot mythology. When you look at the constitution, Article III, section 2, it says the judicial powers shall extend to all cases in law and equity arising under this constitution, the laws of the United States and the treaties made or which shall be made under their authority, to all cases affecting ambassadors, other public ministers and consuls, to all cases of admiralty and maritime jurisdiction. So the social security is under admiralty law, so that is constitutional, and equity is constitution. They can operate in equity, and equity is voluntary.

John: That's the important thing, all these relationships in equity are voluntary.

Eric: The following explains the agency relationship that we have with all these government agencies. It says they are all contractual.

**3 American Jurisprudence 2d, under agency, section one.**

**The term agency means a fiduciary relationship by which a party confides to another the management of some business to be transacted in the former's name or on his account, and by which such other assumes to do the business and render an account of it. It has also been defined as a fiduciary relationship which results from the manifestation of consent by one person to another that the other shall act on his behalf and subject to his control and consent by the other so to act. Thus the term agency in its legal sense always imports commercial or contractual dealings between two parties by and through a medium of another.**

John: Hence, the commerce clause has been used so widely used in regulating peoples' activities, since all these arrangements of agency are contractual or commercial in nature.

Eric: Yes, so here is how you subject yourself to the jurisdiction: When you look at the 14th amendment, it talks about a person being born subject to the jurisdiction. When you look up the word "born" you'll find it talks about delivery. **When you look up "delivery," it is when the res is transferred constructively over to another party.**

John: Okay, the res meaning the thing?

Eric: **The thing itself, or the person, the property, or future rights to property.**

John: We're looking at some very fundamental relationships in the law which are crucial to our understanding if we want to be free, and you are convinced that the law still embodies freedom and that it can still be exercised. I guess that remains to be seen, doesn't it, Eric?

Eric: Oh, no, I've been doing it for several people. The problem is, if you don't know your rights, you don't have any. **When they pass a law, they always must pass a remedy to that law, because this is still a free country.** You have a right to do it or not to do it. You have your freedom of choice which came from God. So I don't worry too much anymore about the laws that are being passed, I'm just concerned about the remedy. Because most of the laws that are being passed pertain to persons or entities in personam. It doesn't refer to me. And you'll find that in personam is always in capital letters, and that's the way they always come at you, your name written in all capital letters. You'll see that on your driver's license, your credit cards, and when you do business with corporations, or any court actions.

There used to be patriot mythology which said if you crossed the bar you grant jurisdiction. **You granted jurisdiction when you signed up for social security. That's when you changed your name. Trust law states that whenever title is transferred, a trust is created by operation of law, or whenever money is transferred, it is the operation of law, a trust is automatically created.** You find that in *AmJur* when you look under trusts.

John: The 13th amendment says "neither slavery nor involuntary servitude" are prohibited. There is no choice there.

Eric: There *is* a choice, you just don't see it. It is just as important what they say as what they don't say. What it says is no involuntary servitude. The opposite of that would mean you can volunteer into servitude.

John: Exactly, it opened the way to voluntary servitude.

Eric: Yes, and that's your freedom of choice.

John: And voluntary servitude by nature is a feudal servitude.

Eric: Yes, or contractual one.

John: Or contractual, which also feudal servitude was as well, at least initially. Then the 14th amendment follows immediately, and it followed immediately in history as well on the tail of the 13th amendment. [14th amendment read - born or naturalized and subject to the jurisdiction.] When you are filling out forms, they always ask if you are a citizen of the United States. And are you subject to the jurisdiction thereof, and jurisdiction is the modern word for allegiance, which is a feudal word meaning relationship to the land or the liege. So are you subject to the jurisdiction of the United States as a citizen of the United States, and then that makes you a citizen of the United States and of the state in which you reside. Now, residence in a state is not a citizenship of a state. It is something less; it is usually commercial in nature. So on government applications, job applications, etc., they ask if you are a U.S. citizen and they ask for a residence address. And the combination of being a citizen of the United States and a resident in a state means you are volunteering to be treated as though you are a second class citizen/property of the United States. Is that close?

Eric: Yes. What people don't realize is that when they use "United States" they use it very loosely. When you look in *Black's* under United States, it says it has three meanings, and a court case is given to prove that. This is the way you write the three meanings: When you mean the United States in the family of nations, it is usually put "USA." If you were to write a letter to someone here and you were in Germany, in the family of nations you write "USA" or "United States of America." It means the 50 states. When the word United States is used in the Code, it usually refers to territories and possessions such as Guam, Puerto Rico, etc. Citizen of the United States is defined in the Code as being someone from Guam, American Samoa, and the Virgin Islands. You can find that at 20 CFR Section 404.1004, Part 4, "Citizens of the United States includes citizens of the Commonwealth of Puerto Rico, Virgin Islands, Guam and American Samoa." When you mean the United States plural . . .

Caller: You really jumped headlong into this without putting things into perspective. So, Eric, if I understand what you are saying, a common law individual, sovereign citizen, gets himself tricked into having created for him a constructive trust with the government, and thus a nom de guerre is created, i.e., your name in all capital letters. You then become chattel property subject to the U.S. under the 14th amendment, et. al, and for that reason alone you have now been created as a statutorily defined "person," and for that simple reason people go into court now and they cannot understand why they have no rights and nobody listens to what they have to say, and they just get whiplashes from wall to wall. Is that right so far?

Eric: Okay, in *AmJur* it explains that **it is not a constructive trust. It is an express trust.**

Caller: Express trust? Well, because you are expressly applying for it.

Eric: Yes, you asked for it. **A constructive trust is created behind your back. However, you expressly transferred title.** You didn't know that you were doing that, but under their law, you are presumed to know the law. Under trusts in *AmJur* you'll see how that works. When one person delivers money to another for a specific purpose, the transaction becomes a trust. So it is automatic. It also says whenever title is transferred, a trust is automatically created. It's by operation of law, and it is an express trust because you went in there and asked to have it done. You walked in with your birth certificate, the one in upper and lowercase letters, and you transferred title, and from then on you were known, not as the three-named person on the birth certificate, you are now known as the person in all capital letters.

That person we are talking about that comes into existence – the SS-5 application for the social security card says "Your card will show your full middle and last name unless you show otherwise." So however

you write it on the application – if you use three names, two names or initial, that’s the way it will show on your card in all capital letters.

Caller: So Eric, what you are saying is that this express trust is created through the SS-5 social security application. So now you have asked the government to step in and play a fiduciary responsibility over the property of the trust, and Eric, tell us what the property of that trust is.

Eric: **The property of the trust is you.** Here is the law where it talks about this fiduciary relationship and it is defined. You’ll find that in **26 CFR, section 301.7701-6, Definitions, Persons, Fiduciary.**

Caller: So you are the property of the trust, and that’s why when people go into court, they can’t understand why they are not being treated as a sovereign citizen in common law under an Article III court and don’t get any justice, because they are in equity, not in law, and they are the property that is being administered.

Eric: And the property in the trust. It defines in this section:

**26 CFR, section 301.7701-6, Definitions, Persons, Fiduciary.** Fiduciary distinguished from an agent. There may be a fiduciary relationship between an agent and a principal, . . .

**The principal is the person who walks in and signs up with the government. The agent or the representative is the IRS, so forth.**

But the word agent does not denote a fiduciary. An agent having an entire charge of property with authority to effect and execute leases and tenants . . .

Remember, we are tenants on our own property and we are leasing it.

. . . entirely on his own responsibility and without consulting the principal, merely turning over the net proceeds from the property periodically to the principal by virtue of the authority conferred upon him by a power of attorney.

**People need to realize the power of attorney is the 1040 form.**

John: There is a power of attorney that exists which you have given to a government agent, is that right?

Eric: Yes, you gave that to them when you signed the 1040 form. The 1040 fits the description of a power of attorney. If you look in CFR where it gives the description of a power of attorney, and that is **26 CFR 601.503 "Requirements of a Power of Attorney, Signatures, Fiduciary’s and Commissioner’s authority to substitute other requirements."** This describes what a power of attorney has in it. The 1040 fits the description. It has everything the power of attorney must have in it. That’s where we gave them the power of attorney.

**One of the reasons why we can’t get any remedy is because we don’t address the issue of the power of attorney. Where others have revoked it, they have not done it on the proper form. The Paper Reduction Act states you have to use their form when a remedy is provided.**

Another thing Boswell mentioned is, we don’t go into the right court. Many people go into the United States District Court, and that court is a territorial court. It is not the court of law court.

The United States District Court is not a true United States court established under Article III of the constitution to administer the judicial powers of the United States therein conferred. It is created by virtue of the sovereign congressional faculty granted under Article IV, section 3, of that instrument. ***Balzac v. Porto Rico, 258 US (Supreme Court).***

That's another reason why people don't get any justice, they go into the wrong court. The proper court to go into is the "**district court of the United States**," small "d," small "c," and that's the law side of the court. **However, to get into that court your status must be correct.**

Caller: That's the court the Freemen are trying to fight their cases in.

Eric: However, they cannot go into that court if their status is not correct. They will lose, and the judge will not tell them.

John: Gentlemen, do you think the Freemen's status is correct?

Eric: **If they have gotten rid of social security and revoked the power of attorney and re-vested title back in the birth certificate, written in upper and lowercase letters** (remember there are two certificates).

John: They are doing their names differently than that. They are using a first, middle and then comma or colon.

Eric: That's not correct.

John: Would you go over things you must do to make your status correct?

Eric: I don't tell people how to do this. There are a lot of government agents out there. And since there are four ways to write your name, if I were to put it out there, all a government agent would have to do is to change a few names, pass it around, and all those people would go down the tubes, and I would be maligned. So that's why I don't put it out. Not that I want to hog the information [yeah, right], but I know there are government agents out there and I've seen most of what is out there, and I believe it was all put out by the government agents to throw us off the trail. I'll do it for people for a fee [\$1500] because this is a lot of work.

What the Freemen didn't do – they might have done it on their documents, however, **when you are in equity, you have to do it according to their rules, because in equity they create the rules. A lot of things we are doing are under law and not under equity, so we have to know how to do them under equity, based on their rules.** Because we volunteered in, we have to go by their rules. This is what the Freemen didn't do.

**26 CFR 1.676A-1**, Power to re-vest title to portions of the trust property in grantor; general rule. If a power to re-vest in the grantor title to any portion of a trust is exercisable by the grantor or non-adverse party or both, without the approval or consent of an adverse party . . .

That's the government. So you have the power to revoke the power of attorney and re-vest and to terminate. You must do this on a government form, and you must know how to do it.

There is a form that is available to do it. However, I looked at this form, and it has taken me a year to figure out how to fill it out. It would take the average person 10 years of college in order to fill it out. There is no way a person can pick up that form, not know what is going on, and fill it out the correct way. There is just no way. You would have to know trust law, *Scott on Trusts*, you have to know the UCC, you have to know *Jones' Blackstone's Commentaries on the Common Law*, you have to know bills and notes to know

presentment and acceptance, you have to know the so-called Trading with the Enemy Act, the Banking Regulation Act. You have to know international law. There is just no way the average person can fill out this form. So I thank the Lord for revealing to me how to do it. And I know **how to fill out the form, who to send it to, what proper names to use, because you have four.**

John: And Eric, you know that you know how to fill out the form because you've had results, right?

Eric: Oh, yes, I have. I've stopped liens based on this, and levies.

We never got to finish those names, and I'd like to finish those. **The name in all capital letters, however it is written, is the vessel of the United States, and that is the trust.** That is created where the government owns that in part, and you own part of it. What they always come after is their part. **That puts you in a fiduciary relationship analogous to this trust,** and a fiduciary is always analogous to a trust.

The next name which I talked about is **your first and last name written in upper and lowercase letters, the way a proper noun is supposed to be written. That consists of two names. You'll find that under "legal name" in Black's where it talks about the common law name.** A lot of people think the common law name is the person on the birth certificate, and it is not.

The **name on the birth certificate** with the three names written in upper and lowercase letters is the **foreign situs trust** because **equity deals only with trusts.** Trusts came out of equity. **You don't put periods, comas, colons, semi-colons or anything else, because every time you do something like that, it is not the way it is written on the original birth certificate, you change the meaning of it.** That's what they mean by title or appellation. Whenever you do something that is distinctive and different, you change the meaning of it. So when the Freemen do that, they change the meaning. I know what they are trying to do, and I understand it, but in law it is called an appellation, and it is changed. It means something totally different from what they think it is.

**The next name is the name written in upper and lowercase letters with an initial.** That person comes into being on the W-4 form. The W-4 form says, "Write your first name, middle initial and last name." **That is the trustee who turns over the res to the federal government,** because a trust is created whenever property or money or title is transferred, and that's automatic.

There is another name, which is a **corporate name,** but we're not dealing with corporations. You can have a corporation named after yourself, and that's a separate entity, too. That is **in all capital letters.** Most corporations are vessels of the United States, and that's why whenever you see "in personam," **in personam is contractual, and the contract that got you into this was the SS-5 SSA application.**

**Unless you change the record, re-vest title it is called because you divested yourself of it, and revoke the fiduciary relationship and the power of attorney, you cannot get remedy,** because it is called an **equitable estoppel.** So a man can get up there and say they don't have jurisdiction, and the law says this, but an estoppel is when one is precluded from telling the truth by his prior actions.

Caller: You talked about money being transferred. What money?

Eric: What they call their legal tender. I understand what you are saying, but in equity money is what they say it is. Money has been defined as their legal tender notes, federal obligations.

Caller: [Question about 20 CFR - mistaken.]

Eric: Title 26 is the Trust Fund, and it is the Puerto Rican Trust. Trust 62.

Caller: Have they found the Social Security Trust Fund?

Eric: **Statutes at Large, Volume 48, 73rd Congress, Session 2, Chapter 756, June 26, 1934.** Under that section you'll find that the trust is called **#62 Puerto Rico Special Fund Internal Revenue.** So Title 26 contains the laws of the trust. In fact, all the titles are the laws of the trust. And it says in here:

The funds appearing on the books of the government and listed in subsection (b) and (c) of this section, shall be classified on the books of the Treasury as trust funds. All monies accruing to these funds are hereby appropriated and shall be disbursed in compliance with the terms of the trust. Hereafter, monies received by the government as trustee analogous to these funds named in section (b) and (c) of this section and not otherwise herein provided for . . .

It gives the names of quite a few of the trusts, and #62 is the Puerto Rican Trust.

Another section people want to look at is **Title 31 Money and Finance, sub-chapter 2, Administrative, section 321, General Authority of the Secretary**, and #2 under that says:

For the purposes of the federal income, estate, and gift taxes, property accepted under paragraph 1 shall be considered as a gift or bequest to or for the use of the United States.

**So all the monies that are given to the United States are from the trust and they are gifts, because the trust that is created on the social security is a charitable trust, and the government is not taxing the individual, they are taxing the trust**, because the flesh and blood person they cannot tax without apportionment. So they are obeying the law, the thing is, we don't know what the law says.

[Sure they are obeying the law, in an underhanded, fraudulent way. Tell everybody the social security is mandatory when it is really voluntary. Don't give full disclosure. Assume everyone knows the law even though the majority have been "educated" in government schools that don't teach the law, and don't tell the truth, and then keep the "way out" a secret and make it so difficult to understand and fill out the paperwork to get out that it requires 10 years of college to figure it out! Sure, they are obeying the law. -ed.]

John: Essentially, you just went back to the founding documents that set these things up.

Eric: Yes, I went to the Statutes at Large that set up the trust. And then it was entered into the title that all monies given to the government are by bequest. The bequest was made on the 1040 form and those types of forms.

John: That's the crucial point right there, the SSA number and the power of attorney on the 1040 and those types of forms.

Eric: The 14th amendment doesn't really talk about two citizenships. It creates a new one, which is a federal citizen. Those citizens are from Guam, Puerto Rico, American Samoa and the Virgin Islands. Supra.

John: But this trust relationship set up --.

Eric: Was set up in Puerto Rico, so **when you state you are a United States citizen, you are a citizen of Puerto Rico. That's where you immigrated.** An American National doesn't have to be naturalized. The 14th amendment talks about being naturalized, well what you missed is, "all persons born." **When were you born? Look up the word "born" in a law dictionary. It mentions the word "delivery." "Delivery" is when the property or the res was transferred, and that's when you transferred your name or title from the person on the birth certificate, written in upper and lowercase letters.** Remember, there are some people who have the one written in all capital letters, but you can get the one written properly, and that's the one you need in order to get your freedom, because that's your remedy in equity. As in law, you have a separate remedy. **When they transferred over to equity, they had to**

**give you something equivalent to a sovereign individual, and that equivalent is called the non-resident alien individual, which is a trust.** You find that in *Black's* when you look under "trusts," it says foreign situs trust and it says it is a trust which owes its existence to foreign law. **It is treated for tax purposes as a non-resident alien individual.** This is one of the secrets they want to keep from you, so you will very seldom find it in law that they will come out and make the statement because they don't want to.

John: Eric, it just seems like, if I remember right, a nonresident alien individual is taxed 30 percent?

Eric: Okay, we have to understand that he is taxed – and this is the reason why he is taxed – when you work for a corporation, you are aboard the vessel, and you are a crewman or an employee. When you do that, you have to apply for an exemption. You don't need an exemption if you and I were doing business together, but when you get into a corporation, and corporations are instrumentalities of the United States – all corporations, because that is a privilege granted by government, so they are instrumentalities of the United States – you need an exemption. When you get the proper exemption and use the proper forms, then that doesn't apply. **But a nonresident alien working for a corporation can be taxed. However, that is because he is within their jurisdiction, and he is working for a corporation. However, you can get an exemption, and there is a form for that. There is a form for a person who works for a corporation, and there is one for the independent contractor.** I have those forms. The reason I don't give them out is because if someone were to say, "This is the form you use," and the person goes down there and just uses that form, he will get in trouble because he hasn't **re-vested title**, he hasn't **revoked the fiduciary relationship the proper way**.

John: They would have a fraud situation.

Eric: Yes, because he is trying to defraud the United States of their property, and that is fraudulent.

John: In other words, this has to be done carefully, step by step.

Eric: Yes, and that's why I don't put the forms out there, because I know how this movement works.

John: I raised the questions of costs, and Eric doesn't want to put out any information because it is subject to change and each individual has a separate situation, but it is reasonable in relationship to the knowledge that you are getting here, and I would agree with that, from what I've heard. We'll let you contact Mr. Lynch on your own, with your own situation, and he is available. Eric, you were talking about "born" being a code word, plus **they now call a freeman a nonresident alien individual?** That's the term they use?

Eric: **Yes, that's the term for the freeman in equity, but he must have an exemption.** That's the key to understanding this, you must have an exemption. There are **two forms you can use** and that I have, and I said before, I don't put it out because if I give it to someone and they pass it on to someone else and they use that, they are in trouble. That's fraud, because you are trying to defraud your trustee. There are no debtors in prison – the law says there are no debtor's prisons in America. However, there are prisons for violation of fiduciary duty, and that's what they disbar lawyers for. There is an article in the newspaper about a lawyer who was disbarred as soon as he was charged with felony theft. This was before he got any due process in court. They will not tolerate that. **So that is what people are being thrown in jail for, a violation of fiduciary duty, because they created this trust, made the government partial beneficiary of the trust, and they hired the IRS to handle that account and to effectuate their conduct and the conduct of third parties, the employer or whoever else you do business with. And that's why you don't get any remedy. And that's why people end up in jail -- violation of fiduciary duty.** They do not tolerate that, at all.

So when you do that, they haven't come after you, but eventually they do come after people and they throw them in jail. It takes a while, sometimes 10 or 20 years. I know some people where it took 30 years

before they threw them in jail, and I know this person personally, and I won't mention his name, who was thrown in jail for violation of fiduciary duty. That was not put on any of the court cases, because they don't want people to know it is a trust, but when you look at the law, that's what they threw him in jail for, and that's fraud.

John: On the surface, what was the problem?

Eric: The problem was the willful failure to file. **What people need to know, the tax in question that is being collected is not an income tax, it is called trust fund taxes or employment taxes. That is the tax that is being collected, trust fund taxes, and** they are called employment taxes. People think they are income taxes, but income has already been defined. You'll find the thing on employment taxes in **Title 26 Internal Revenue section 3401** and it says "Employment taxes. The term employment taxes means any tax imposed by Subtitle C of the Internal Revenue Code of 1986." You'll find that codified in **26 CFR 801.401 Employment Taxes**, and it says, "Federal employment taxes are imposed by Subtitle C of the Internal Revenue Code." When you look under Subtitle C, you'll find that the tax is voluntary, and that's called a voluntary withholding agreement. That's in **26 CFR 31.3402P-1**, voluntary withholding agreement.

John: And that's for a freeman?

Eric: Yes.

John: But if you're involved, even unknowingly, as – what part of the trust?

Eric: As a fiduciary – as a fiduciary you have no choice, you've got to do it.

John: Okay, and what part of the trust are you? What is the name of a person who is subject to the tax? The trustee?

Eric: The trustee is the one who pays the taxes. **What is being taxed is the trust. The tax is attributed to the trust that you set up. That's what is being taxed because they have no lawful authority to tax the individual, the natural person.** When you look under "persons" in *Black's Law Dictionary*, it talks about entity. When you look up "**entity**" in *Black's*, it says, "A real being, existence, an organization or being that possess **separate existence for tax purposes.**" **So they created another entity, called a trust, in order to tax, because they knew they couldn't tax the natural, common law individual.** The live individual they cannot tax. They are taxing the fictitious entity.

John: Okay, in the fictitious entity, the live person is a trustee then for the trust?

Eric: No, no, he is not. **He is the beneficiary.**

John: The beneficiary is taxed?

Eric: No.

John: Okay, I'm sure we have created more questions than answers here tonight with Eric Lynch. Eric, you were about to explain the relationship of the obligated person and what his relationship is to the trust that is set up.

Eric: First of all you have the natural person, and then all these other entities I've mentioned are fictitious entities which are created for separate existence for tax purposes in equity. **The trustee came into existence on the W-4 form where the person wrote his name, middle initial and last name.** That is the trustee that **transferred the res, or the property.** Whenever money is transferred, or what they call money, that creates the trust. That's when the trust was funded. It creates a trust. There are two ways to create a trust, either transfer of title –

John: And then the guy that gets thrown in jail for willful failure to file –

Eric: Is the trustee.

John: Just to recap a little, what is crucial is the understanding of the nature of the relationship to

government. What they have done here is created trusts, the nexus or the connection is the Social Security number, the 1040 form, the W-4 form, and you need to understand the style or appellation of your name because it is used to designate various entities, right?

Eric: Yes, and you find that under the word “title” in *Black’s Law Dictionary*. Each way you write it differently is an appellation or distinctive style, and each style, the way you write it, means something totally different. So if the Freemen are putting semi-colons or colons in their names, they have changed their names from what was on the birth certificate. Why? **Because the birth certificate is an irrevocable trust that is set up, and that is one of the secrets. It is an irrevocable trust and you cannot change the name on that unless you go to court. You cannot change it any way, shape or form because you did not create that trust.** The grantor type trusts that are created under Social Security, you can change at any time, and you can revoke at any time because you created that trust, but your property is brought down through generations, in equity, because that’s what a trust is, and equity has existed for hundreds of years under the law of use from England. So this is what happens, you have an irrevocable trust that is on the birth certificate which you cannot change. When the Freemen changed it, that’s one nexus why they may be losing, plus they haven’t **revoked the power of attorney the right way, on the right forms, and they haven’t re-vested title and revoked the Social Security.** There are forms to do this. I have the forms in my possession to do this. I have done it. Shortly after doing that, the liens and levies on people stop.

John: And you have done it by getting rid of the application, is that correct?

Eric: **Yes, by canceling the application.** When you look up the word “cancel” you find out what that means.

## Second Interview

John: And we’re back, you’re listening to Liberty Forum. I’m John Bryant. Eric Lynch has joined us this hour. If you have not heard him in the past, Eric Lynch is a legal researcher, and has done work for people desiring to shed themselves of the contracts that have bound them down without recourse and remedy in the law, subjected them to an alien law. We’ve been looking at that with a number of people over time. Eric is very knowledgeable in the law, has spent endless hours researching, and gives credit to the Lord for a lot of his revelations, for directing him to the right areas at the right time. He also makes every effort to back up what he says with specific reference material, which is something that is quite refreshing. Eric was also at our seminar with Sam Davis last weekend, and I was really happy to see that because I’m hoping the truth will be discovered by bringing knowledgeable minds together.

Eric, you have done your own research. You spent some time with the Pilot Connection, had troubles there which I think played a part in your resolve to do your own work, and you’ve spent a lot of hours doing that. Recently you were at the Sam Davis seminar. You had some questions. I thought we would raise those questions. You have been pursuing a similar path, ultimately, in trying to free people from their slavery.

Eric: What I want to do is address some of the errors that Sam made, and I make errors in some of the things that I’ve done.

John: So, what you consider errors.

Eric: Okay, when I was at the seminar, he talked about his Christian appellation being the name on the birth certificate, that is written in upper and lowercase letters. That’s if you have a birth certificate that was pre –. I don’t know what year they started putting them in all capital letters or putting them on this bank

paper, I'm not sure when that took place, but the birth certificate I have is in upper and lowercase letters. So I want to address one thing. He said that his Christian appellation was that name. However, if you turn to *Black's Law Dictionary* on page 896, it is under "Legal name," and it defines what your common law or Christian appellation is. And it says, and I quote:

Legal name. Under common law, consists of one Christian name and one surname, and the insertion, omission, or mistake in middle name or initial is immaterial. The legal name of an individual consists of a given or baptismal name usually assumed at birth and a surname deriving from the common name of the parents.

So those who are – and I told Sam, and I think the people need to make a correction, because a person who is the nonresident alien, so to speak, or **the person who is neither a citizen nor resident of the United States, sui juris, is the Christian appellation or the legal name.** Legal as opposed to equity.

John: You are referring to *Black's Law Dictionary* which is the banker's dictionary, it's been called that. It seems that the difference here as I heard it between both of you, was that you feel the Christian appellation, or the Christian name, is necessary in any process reverting one back to one's natural self.

Eric: The reason why I believe that is because it is that individual who is not under a legal incapacity. He is *sui juris*, and we all agree on that. **The common law person is sui juris, outside of equity, so he is the only one that can do this procedure.** Another thing is the **address must be written in a foreign address because it is the law of domicile which determines what laws are going to be applicable.** If you look up "domicile" in *Black's Law Dictionary* it says it is very important.

John: It must be foreign to the United States.

Eric: Yes, because that determines the taxing authority's jurisdiction. That's why the 14th Amendment says "born subject to the jurisdiction." **The problem is, most people don't know how they were born subject to the jurisdiction.** It took me some years of research to find out, and that is when you look up "born" in the dictionary, we're thinking in terms of *Webster's Dictionary*, not in terms of the legal definitions, which mean something totally different. So when you look up "born," it gives you the word "deliver." **When you look up "delivery," it is when the res of your trust, the birth certificate (written in upper and lowercase letters, not the one that is now in capital letters on the bank paper), is transferred constructively to the Federal government. Under *Am Jur*, under "trust," it says that whenever title is transferred, or property is transferred, a trust is automatically created by operation of law, irregardless of the intent of the parties.** So, when you walked in with your birth certificate in upper and lowercase letters and you transferred title, *you* created this new entity in all capital letters. Now, Sam Davis calls this entity a straw man. I don't like that term because it is not found in the law.

John: It is described in that same *Black's Law Dictionary*.

Eric: Yes, it's defined.

John: Yes, and it may consist of a relationship or operation of law rather than being referred to specifically in the law.

Eric: Yes, what I'm saying is, I prefer to use the designations you find in the law. It is true, **it is a straw man put up to hide the fact of ownership of the property.** And it is a euphemism, too. Whenever you see the guy in all capital letters, that is another way of writing the government's name. And when you see it on a mortgage, when you see a mortgage company, that is a straw man, or an entity, or a person, it's a corporation put in place so you don't know it is the government that owns your property. This is part of the deception in equity.

So the proper designation in law for the straw man, so we'll know what this individual is, is found in *Black's Law Dictionary*, 6<sup>th</sup> Ed., on page 1142, definitions of persons. To understand this even further, *Black's Law Dictionary* uses the word "entity." When you look up "entity," it is defined on page 532 as "a real being, existence, an organization or being that possesses separate existence for tax purposes." **So they got you to create this separate being, this so-called straw man, person, entity, corporation, trust, partnership, whatever, so they could tax that. That's the entity they are taxing because they have no legal authority to tax the individual.** The 16<sup>th</sup> Amendment gave them no new authority to tax anybody.

John: Okay, so you agree there.

Eric: Yes, I agree there, but I wanted to call it by what it is so that when we see it in the law, we understand that persons, corporations, all those are fictitious entities. The law says that when you do this, you are responsible for that vessel or entity. As an example, if you own a car, that is considered in their law to be a vessel. That is because they brought the admiralty law on shore so the government could get jurisdiction, because the government is in admiralty jurisdiction. So if you have a car and it slips out of gear and hits another car, they are not going to drag the vessel in, which is in all capital letters, they are going to drag you in because you are responsible for that, and you own it.

Some people seem to think we don't own this thing, and we do own it. The government only owns it constructively, not actually.

**Title 26 U.S.C. 676(a)**, A grantor [that's the guy who created the this trust] shall be treated as the owner of any portion of a trust, whether or not he is treated as such owner under any other provision of this part, where, at any time, the power to re-vest in the grantor title to such portion is exercisable by the grantor or non-adverse party, or both.

So the law says **you have the power to change this situation and to revoke that situation at any time.**

So, I'm saying Sam says that all you have to do is file this paperwork and it revokes everything, but it doesn't. I have it in front of me, put out by the National Law Library, Volume IV, *Business Law*, by Nathan Isaac. It talks about the different kinds of law that must be dealt with: **Contract, agency, corporation, trusteeship, and one they don't mention here is admiralty, which is insurance.** That's where the Social Security comes in that puts us in admiralty. It says each one of those things must be dealt with, if you have contracts, on each level. I don't have much time to read it, but I do have it. So you have to do each one.

They have us in admiralty, that's insurance. The law says there is a certain way to handle that. I've got the codes, but I only have an hour so I don't have time to do them all, but it says **you can cancel the admiralty contract. There is an agency relationship. If you look up "agency" in Black's you'll find that you hired the IRS to handle this account for you, and it is a power of attorney. If you don't revoke the power of attorney, then the attorney can come around your back and undo everything you've done.**

I read something in the law where it talks about the power of attorney and how dangerous it is. It was in one of the newspapers. I'd like to read this. This is what an attorney said. This is out of the *Rocky Mountain News*, November 13, 1995, in Colorado. He says, "The power of attorney should not be given to another person lightly. It depends on the scope of the document. ... If it is financial [the power of attorney], it can give the agent [the person who gets the power of attorney] the ability to rob you blind." And that's what these guys are doing to us, they are robbing us blind.

It also says here that you have to revoke that power of attorney. *Am. Jur.* under agency says **you have to revoke the instrument**. Many patriots seem to be under the impression that you revoke the signature, but that is not correct. You revoke the instrument.

**Colorado Revised Statutes, section 15-14-604, Probate, trust and fiduciaries.**

The principal may amend or revoke the agency instrument at any time and in any manner that is communicated to the agent or to any other person who is related to the subject matter of the agency.

To find out more about how that works, look in *Am. Jur.* Encyclopedia of the Law under “agency” and it will tell you how that agency relation works and how that agent can undo everything you have done, if you do not revoke it.

John: Some say the law has been replaced by the Uniform Commercial Code and the processes embodied there.

Eric: I disagree. So you can tell me that we can get rid of Title 26, the CFR and everything else, and the Statutes at Large, and we can rely totally on the UCC as the basis for everything? That’s just not correct.

Give you an example, under UCC you will not find murder. The UCC only covers two things, orders to pay and promises to pay. Murder doesn’t come under that. It has been said that commerce is defined in Title 27, and all crimes are commercial. That may be, but they are commercial because they are admiralty. **What puts you in admiralty is the insurance program of social security. Insurance is under admiralty law. That’s what gets us into commercial activity with the government, across state lines. You’ll find all those crimes listed in Title 27 U.S.C. section 72.11 in *Benedict on Admiralty 7<sup>th</sup> Edition Revised, Jurisdiction and Principles, 1988 Supplement*. It lists all the crimes in Title 27 as under admiralty law because there are no common law crimes in the federal jurisdiction, so they all must be commercial.** And it says that in the books I have here. That’s why they are commercial crimes, and **what puts you in that jurisdiction is the contract.**

Caller: Are you saying that the way it is being done right now – Sam says that people are sending the IRS these bills and they are being taken care of. Are you saying that’s impossible?

Eric: No, I’m not saying that, but Sam also said that a lot of the states now are not taking this paperwork, so if they are not accepting it as it is now, I don’t what he is going to do in the future, but as of right now and the way it was presented Sunday, he said that these states are not taking it anymore.

Caller: Well, mine was sent to Washington state, and it came back to me by fax in less than 10 minutes.

Eric: And what did it say?

Caller: It is accepted as filed.

Eric: I didn’t say it wasn’t. I said Sam said in half the states they are not accepting them.

Caller: What I’m asking is, if they do accept it, are you in?

Eric: Well, not necessarily, and I’ll tell you why, but another thing he said was that his state of Idaho does not accept them anymore as they are being presented now. He says just because they keep the fee, it is binding. When someone says that, I say, okay that’s fine, prove it. I’d like to see it. He also says you can file it in another state, yet I know that’s not correct. I’m not saying it doesn’t work, I’m saying there are discrepancies that need to be ironed out. I don’t want someone to go to another state and file it and think he has a solution. John was shown the law. John, tell him what you saw.

John: It says you should file in the state where you live.

Eric: Under the UCC, the law of the place governs the contract. That's a major discrepancy, because someone might go to another state and, if they do accept it, think he has a remedy in another state and he doesn't. That is a concern.

John: If they are accepting Ken's filing in Washington state, maybe there is something right there because they are accepting it. I believe the idea is that once you get a toehold in another state, you can then bring it home into your own state more easily.

Eric: I'd like to see that. I'm saying, if that is true, I would like someone to show it to me in writing.

Caller: Let me understand you, Eric. You're not saying that this won't work, you're saying there needs to be more t's crossed and more i's dotted and more detail done, is that correct?

Eric: Yes, I am. There is a law in the UCC that talks about supplemental journal principles of law applicable. It is in the beginning of the UCC and sets the rules by which it is going to be governed. It says: Fraud, misrepresentation, and all these things, an estoppel shall be a part of the law, fraud and everything else. I believe that's where they make fraud legal. There is a word "estoppel" that says a man is concluded from telling the truth by his prior actions. That's part of the UCC.

Caller: Why don't you share with us what you would do in addition to this to make sure that we're covering all of our tracks?

Eric: Okay, what I would do is – they are coming at you three ways and you have several different contracts. One of them is on admiralty. The law says . . .

Caller: [Interrupted with a lot of garbage that didn't need to be said and interrupted the flow of information!]

Caller: David in Michigan. [Statement regarding the state's returning UCC filings.]

John: The excuses made by the states are 1) you can't file as a transmitting utility, and 2) you can't file on something that is phonetically the same name, at least they say the same name, although it is not the same name. So those are the two reasons.

Eric: John, those may be the reasons they state, and a lot of time, you and I know, they don't state the real reason, when you go to court, for what's going on. So, that may be the reason that sounds good, but it may not be the real reason. When you go into court, they don't tell you the nature of the charges being brought against you, that they are admiralty. They don't tell you a lot of things, and if you ask them, they'll beat around the bush and say get a lawyer or say something totally irrelevant. So those may be the things they are saying is the reason, but they may not be the real reasons because they're not going to tell you the real reasons. In most cases they are not. It is a miracle when they do.

I'm not saying that what Sam teaches will not work, eventually. What I'm saying is, there are discrepancies in it that need to be ironed out that I think are very important. I'll give you an example. He says it is the SSN that gets you in trouble. Everything I have says to the contrary. I'll give you an example:

**20 CFR 404.1004, part 3, American vessel means a vessel documented or numbered under the laws of the United States.**

So that's what a vessel is, and remember, the vessel is the straw man. You'll see that in the *Government Style Manual* where it talks about that. There is a *Government Style Manual* you can get when you go to a law library, usually at the reference desk, and you can go to that section and it will tell you what a vessel of the United States is.

On *Benedict on Admiralty*, and I already quoted where that's found, it says:

Status of vessels of the United States. Vessels documented under the laws of the United States are entitled to privileges and subject to the obligations described by the laws of the United States for merchant vessels.

**So here it says it is the documentation that gets you in trouble.**

Section 81.4 under Regulations, Appendix B-13, Status of American undocumented vessels. **American undocumented vessels are not under the jurisdiction of the United States and consequently are not subject to the obligations nor entitled to protections.**

Here it is saying it is the documentation that gets you in trouble. Then if you want to find out what the number does you go to section 783.41, which talks about the number of the vessels, and **it says you are required to have a number if you are going to operate in admiralty waters, which is on their highways and their business and contracts – that it's not the number which gets you in trouble, it is the documentation.**

Oddly enough, the government has **a form to cancel the documentation or the SS-5 application.** So I've proved my point right there. **They think it is very important to cancel the application. It says nothing about the number.** When you apply for Social Security, it doesn't say on the SS-5 that you are applying for a number, it says you are applying for a card, or the documentation. That's what you are applying for. So, I've proved my point there in the law, and the Lord said in the Bible, in the mouth of two or three witnesses, let everything be established. So it is not the number, unless you can show me in the law that it says the number gets you in trouble, not the documentation. Show it to me, somebody.

So unless you get rid of the documentation, and there is a form to do that, however, it must be done in the correct way, then you are subject to the obligations, if you don't get rid of that documentation. And if anyone wants to see what the documentation is, they even define what documentation is, and here it is. You'll find it in the same thing, *Benedict on Admiralty*, **section 783.41, "Numbered vessels."** And in it, it says it is not the number that does you in, you need a number to operate in admiralty. They say it right there. And remember, they took the admiralty law extrapolated on land.

So the straw man, I want to make this clear, is a person, corporation, trust, and all those things which are considered vessels or entities, real beings possessing separate existence for tax purposes. **And you create that entity when you sign up for Social Security. That's when you created the straw man. You created it, they didn't, and the law says you created this when you walked in and you transferred title.**

Another thing about the document of title, I believe there are two birth certificates. There is the one they give now, which is on the bank note paper. I believe that one you actually transfer title. The previous ones written in upper and lowercase letters, are certificates of live birth, versus those new ones you get now, which are documents of title that you still hold, but what it says is you transferred it constructively. When you look up "delivery," it says it is not actual transfer, **it is constructive delivery of the trust. It is constructive, not actual, so you still have title.** I already read that the law says you are treated as the owner, even though you are not treated as the owner underneath their law. **And at all times you have the power to revoke. Oddly enough, there is a law that says you can revoke this fiduciary relationship of principle and agent,** that you got yourself into.

**Code of Federal Regulations 26 CFR 301.6903-1 Notice of Fiduciary Relationship.** When the fiduciary capacity has terminated, the fiduciary, in order to be relieved of any further duty or liability

as such, must file with the District Director...

It says *must file* with the District Director certain documentation to get rid of it. So there it is again. It doesn't say go down to the Secretary of State and file whatever that is, acceptance for value. Where I come from, the District Director is the District Director of the IRS in your region or area, and it is not the Secretary of State.

John: Eric, we are at the end of the time. I wanted to give your phone number. If you want to contact Eric Lynch, it is (303) 432-8037. [End of interview] □

**[Editor's note:** Eric Lynch will “get you out of the system” but will not allow you to see the documentation or learn how to do it yourself. He charges \$1500.00 plus one-third of all funds recovered. Liens and levies will be dropped by the IRS.]

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