Background Studies To American Law

Our Status in America

Author Unknown

To those digging in the bone piles of history, it is clearer each day that the Republic that was the united States of America, died at the hands of A. Lincoln, who seized power — without any lawful, constitutional authority whatsoever — and set forces in motion that drove the South into a war it did not want, and could not win.

In the eruption that followed, on the killing grounds of Antietam, Vicksburg, Missionary Ridge, and Gettysburg, the life blood of patriots flowed out onto the earth and into the crevices of revisionist history. Long before the flag of truce was raised, the Republic had already died, not with a bang, but ignominiously, in a whisper no one heard amidst the raging winds of war.

When seven Southern states walked out of Congress March 27, 1861, {1} the quorum to conduct business under the Constitution, **was lost.** The only votes Congress could lawfully take, under parliamentary law, were those to set the time to re-convene, take a vote to get a quorum, and vote to adjourn and set a date, time, and place to re-convene at a later time. {2}

Instead, Congress adjourned ***sine die*** (pronounced see-na dee-a), i.e., 'without day.' "An adjournment *sine die* — that is, without day — closes the session, and if there is no provision for convening the assembly again, of course the adjournment dissolves the assembly." {3}

Thus, when Congress adjourned *sine die* it ceased to exist as a lawful body. {4} The only lawful constitutional power who could declare war on the South, was no longer lawful, or in session. Congress did not reconvene until days later when it was re-convened under military authority of the Commander-in-Chief. To this day, Congress still sits by military authority of the Commander-in-Chief, and not as a lawful Constitutional body. More evidence for this is in any official set of U.S. Titles and Codes. In the Index of Titles in Volume One one finds either;

a. Title II, The Congress is marked with an asterisk and the note at the bottom of the page will indicate that the Congress exists by Resolution, not positive law, or;

b. All positive law titles are marked by asterisk and Title II, The Congress has none. In this case the footnote states that those marked with an asterisk exist by virtue of positive law.

The point here is, Congress knew the rules of parliamentary law and knew that it could have adjourned lawfully, but instead, chose a method that the Congress knew would destroy the law making power of Congress. In other words, the campaigns of the commercial speculators, banks, and others in Congress had been successful. The Constitution for the United States of America had ceased to be the law of the land, and the President, Congress, and the Courts were now free to re-make the nation in its own image.

The Southern states, by virtue of their secession from the union, also ceased to exist *sine die*. And, those state legislatures in the Northern bloc also adjourned *sine die* as, for example, occurred in California in April 27, 1863. {5}

Thus, all the states who were parties to creating the Constitution ceased to exist and new states were created in their place as Franchisees of the Federal corporation, so that a new Union of the United States could be created.

From that time on, all Presidents have ruled by Executive Order. Lincoln wrote only a handful of E.O.'s during his tenure. Executive Order No. 1, {6} the first ever signed by a President was executed April 21st, 1861, and called up 75,000 militia. Other E.O.'s are issued under the authority of the Commander-in-Chief by the Adjutant General, the Treasury, and others.

The point is, Lincoln had no authority to issue Executive Orders and he knew it. Thus, he commissioned a special code to 'govern' his acts under martial law. In fact, the Code merely justified his seizure of power. "The Lieber Instructions," {7} extended The Laws of War and International law beyond the borders of Washington, D.C., and for the first time brought foreign law onto American soil.

The United States government became the conqueror and all states in the Union were thus re-formed as Franchisees of the Federal Corporation. The key to when the states became Federal Franchisees is related to the date when such states enacted the Field Code in law. The Field Code was a codification of the common law that was adopted first, by New York and by California in 1872.

Later, the Lieber Code put the U.S. into the 1874 Brussels Conference (two years after Washington, D.C., became a corporation), and the Hague Conventions of 1899 and 1907.
The Lieber Code explicitly stated in Section I, Article 1., that:

> "A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the Martial law of the invading or occupying army, whether any proclamation declaring Martial Law, or any public warning to the inhabitants, has been issued or not. Martial Law is the immediate and direct effect and consequence of occupation or conquest." (emphasis added) {8}

Lincoln imposed Martial Law on America **without public notice**. Americans could thus be arrested (falsely mustered), hauled into military tribunals, tried, convicted, sentenced, put in jail, have all their property seized, and put to death, without ever knowing the trials were in fact, **military proceedings in court martial against civilians**.

In such military courts, no defendant has **any** Constitutional rights. The Code goes on to say in the same Section, Article 10, that:

> "Martial Law affects chiefly the police and collection of public revenue and taxes whether imposed by the expelled government or by the invader, and refers mainly to the support and efficiency of the army, its safety, and the safety of its operations." (Emphasis added) {9}

Is it mere 'coincidence' that the I.R.S. was born during this period, in 1863? It collected war reparations from the conquered peoples in the South. Later, F.D. Roosevelt went Lincoln one better when he extended the same unconstitutional acts to all the states.

The Lieber Code then states in Section II, Article 31., that:

> "A victorious army appropriates all public money, seizes all public movable property until further direction by its government, and sequesters for its own benefit or that of its government all revenues of real property belonging to the hostile government or nation. The title to such real property remains in abeyance during military occupation, and until the conquest is made complete." (emphasis supplied) {10}

Under Martial Law, one's title is a mere fiction, since all property belongs to the military except for that property which the Commander-in-Chief may, in his benevolence, **exempt** from taxation and seizure and upon which he allows the enemy to reside.

After Lincoln, a new type of government was born in America when the District of Columbia was incorporated in 1872. In the U.S. Titles and Codes, the District of Columbia can also be called, the "United States." Why did the federal power need a corporation?

The answer is, first, martial law governments are — in law — styled as 'fictional creations.' Second, the doctrine of equal standing in law makes it clear that only parties of equal standing can communicate in law. The maxim of Law is; "Disparata non debent jungi — Dissimilar

things ought not to be joined." {11} Third, since such governments are fictions, they can only deal with fictions and are thus, prohibited from re-creating lawful civil authority.

Only the people have the sole and exclusive right, power, and authority to alter, abolish, or create a Lawful Civil government. Therefore, since corporations are also fictions, they became the logical means through which the new government carried on its business. Notice however, the substance of the government is now gone, and it retains only the outward form and appearance. After Lincoln's War ended and hostilities were declared at an end, the Lieber Code justified keeping martial law a secret. Part of the evidence for the continuation of martial law is seen in an address given by Andrew Johnson, Lincoln's successor, in which he gives his reasons for vetoing the Reconstruction Acts.

> "The veto of the original bill of the 2d of March was based on two distinct grounds, the interference of Congress in matters strictly appertaining to the reserved powers of the States, and the establishment of military tribunals for the trial of citizens in time of peace." July 19, 1867 (Emphasis supplied). {12}

The nation was still under Martial Law and Congress knew it though the People have, from that day to this, been ignorant of the fact. And, the U.S. is under no obligation to tell the People anything regarding their true status nor to promote reconstruction of the Lawful civil authority.

Some may call this treason, sedition, or fraud, and these charges are commonly seen in the patriot literature, but, in fact, it is mere deceit, which is a stratagem of war, and under International Law is legal. This is because under such law, commonly associated with the Laws of War, it is proper for the enemy to deceive his opponent in the field, until engagement is made. Thus, the importance of Roosevelt's change in "*The Trading with the Enemy Act*" of 1917, and the reclassification of all Americans as "*belligerents*" under an emergency situation (actually a declaration of war).

Regarding this era, we close with a quote from Robert E. Lee:

> "Governor [Rosecrans], if I had foreseen the use those people [the Republicans] designed to make of their victory, there would have been no surrender at Appomattox Courthouse; no, sir, not by me. Had I foreseen these results of subjugation, I would have preferred to die at Appomattox with my brave men, my sword in this right hand." {13}

The Law of Rome in America

If Lincoln and those who came after him did away with the Constitution, common law, and other Law that constituted the traditionally vested right of the people, what was put in its place?

The answer here is, in the history of law there are but two distinct kinds; God's Law and man's law, the principle example of which is Roman law represented in the Codes of Justinian.

The original Constitution for the united States of America, as an instrument of common law procedure, was, through the same law, descended from the Law of God through canon law as developed in England and America.

Further, the three branches of the civil power that were written with checks and balances built in, reflected the colonial governments that existed prior to the Constitution. These governments were, in turn, based upon the dominant form of church government in each colony.

Thus, the colonial government of Congregational churches found expression in civil governments dominated by a legislature. Presbyterian churches fostered a civil government that leaned to the judicial side, while Anglican, or Episcopalian forms favored the executive branch.

When Lincoln brushed all this law and tradition aside, he replaced it with the only law that was available as a codified whole, i.e., with the codified laws of Rome, by Justinian.

There are some who will ask why Lincoln did not import the civil law of Rome. The answer is, the idea of Roman civil law is bogus because Rome was always under the god "*Mars*," (i.e., Martial law) and was always a military state in which the Roman Legions were used to expand and maintain control of Rome's insatiable commercial appetite.

We find today, a vast number of parallels between the old Roman codes and modern codes, of which, only a few are mentioned below.

> **First**, there is novation, from the Latin, *novatio*. This concept did not exist in American law before Lincoln's War Against the States.
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> Novation is the extinguishment of a prior debt by a new debt obligation. {14}
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> Today, this is done by a birth certificate when a baby's foot is placed thereon — before it touches the land. The certificate is then recorded at a County Recorder, sent to the Secretary of State in the State where the baby is born, exported to the

Department of Commerce, and Bureau of Census and the process of converting a man's life, labor, and property to an asset of the United States government is in place.

Novation is not complete until the child as adult voluntarily assents to being a debtor, by submitting an application for a benefit, privilege, immunity, or opportunity from any branch of a martial law agency. It does not matter whether it's The Department of Motor Vehicles or, The Social Security Administration, the effect is the same. Novation converts a baby's life, liberty, labor, and property, to an asset of the United States, a Federal corporation, and converts a flesh and blood man or woman, created under substantive Law by God, to a *persona*, {15} i.e., a fiction. One is now living collateral for the debts of the United States corporation, who has entered into commerce for some benefit, privilege, etc., from an imperial power, regulated by military law that benefits bondholders of the debt of the corporation.

Second, the *persona*, as a fiction, cannot think, speak, see, hear, or write, and thus an *advocatus*, an attorney, is called in to speak for the *persona*.

Third, Roman law is the basis of all International and Municipal law and forms the core of the United Nations law, and all treaties made by the United States with foreign powers.

Fourth, the *lex mercatoria*, the law of merchants and commerce is based on Roman law where the god of merchants and commerce, Mercury, presided, who is, the god of traders and thieves. {16}

Fifth, all modern federal and state law appears in the form of codes patterned after the Code of Justinian, often following it, at places, exactly.

Thus, Roman law served all the needs of those who opposed Constitutional law. It installed the force and power of the military; it already existed as a complete body of law; it was commercial; and, it was clearly the only real substitute for the Law of God and the common law.

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A Better Deal

We move forward to March, 1933, and the administration of Franklin Delano Roosevelt, in which he began to solidify the power of the federal government under the cover of a national banking emergency.

It seems American bankers were giving gold certificates (paper) to customers in exchange for gold coin at $22.00 an ounce and re-selling the gold to European bankers at $34.00 an ounce, a tidy 50%+ profit on each coin.

The people discovered this and started demanding gold coin back, but the banks didn't have reserves to meet demand. President Hoover declined to take Federal action and bail them out.

Onto the stage comes Roosevelt. He makes a deal with the bankers to fix the problem, labels the conduct of the American people "*hoarding*," declares a bank holiday, and raises the price of gold to $34.00 an ounce. Problem solved, right? Well ..., that depends.

The banks re-opened and did business again, but the price Roosevelt extracted was, **it was business as usual — only on the President's Signature!!!** Thus, anytime a President wants, he can close the banks and the Federal Reserve. All he needs is for people to believe there's a national emergency. Whether real or not, the power to decide is solely within his hands.

Thus, the annual clash between the Federal government and Federal Reserve (a private bank system) is just eye-wash for the people who are supposed to believe that the U.S government is looking out for the interests of the people. It is, in fact, more smoke and mirrors. The President can close the Federal Reserve whenever he wants to, if it serves his interest.

At any rate, Roosevelt extended 'emergency powers' and, in a flood of E.O.'s over the next few weeks, he; declared all Americans '*enemies*' of the United States; {17} converted all acts involving money to commerce that required a license to conduct business; created the tools for the licensure of all Americans and the registration of all automobiles; and many others, all of which were ratified by Congress - usually without debate, in a series of lightning sessions, where most of those who voted on bills, never even read them. And this, because no one in Congress had the courage to buck the will of the Commander-in-Chief.

Because the application of martial law varied in each state depending on whether the state was one of the Southern Confederacy, one of the pro-union states, or came in after Lincoln's War Against All States, Roosevelt's actions, in effect, leveled all state laws to a common standing.

Thus, a visit to your nearest law library will show, that during the years 1932-38, the volumes of acts of the legislatures get very thick and complicated to read as the states attempt to cooperate with the Federal power and yet retain some of their own powers.

State legislatures did nothing to stop Roosevelt because they all benefited from massive increases in state and local taxes that accrued to them under Roosevelt's policies.

Roosevelt then packed the Supreme Court with his own men and secured the decisions that allowed him to expand the Federal government's power, enormously.

Solely by E.O., he took total control of the nation, **and only a President can terminate his own power of Executive Order**. Today, Congress passes no Act without the authority of a pre-existing E.O.. Perhaps, it doesn't matter, since Congress doesn't write legislation, anyway. No, it's done for them, by contract with West Publishing Co., St. Paul, Minnesota; the same company that produces law books, including the law dictionary, Black's 6th.

None of this, however, contrary to the conspiracy theories, has been covered up. On the contrary, everything one needs to know concerning what Roosevelt did, and why, is all a matter of public record, usually available from government sources at local, state, and federal libraries and printing offices.

The best work to demonstrate the real extent of the President's power, and his control of what the Congress does is seen in a special report which, on page one begins with this ominous note:

> "A majority of the people of the United States have lived all of their lives under emergency rule … . And, in the United States, actions taken by the Government in times of great crisis have — from at least the Civil War — in various ways, shaped the present phenomenon of a **permanent state of national emergency**." (emphasis added) {18}

Thus, the old Roman Imperial power has been resurrected and installed in the united States of America and it is justified by the doctrine of necessity and the acquiescence of people.

We all remember the upheavals in the sixties, and most of us opposed the rhetoric of that time and the charges of '*imperialism*' that were made against the Federal government. It turns out that the '*hippies*' of the sixties were more accurate than we knew.

The imperial power has existed now for over 130 years, using The Laws of War, International, and Municipal Law under the Commander-in-Chief. These are the real **supreme laws of the land.** They govern all court process, its form, and process used by attorneys in such courts.

This is why people lose trying to argue Constitutional rights. Courts are **military tribunals sitting in summary court martial proceedings against civilians**. Constitutional and courts of common law arguments are **not** allowed in such courts.

Judges may listen to such arguments for many reasons and even decide in one's favor, but not because of any Constitutional or common law argument. One may make an argument or reveal evidence and not realize why a judge renders a 'not guilty' verdict. Or, if he has collected excellent revenue (war reparations) for the day, he may just release you because he likes you. But, when the stakes are high enough, one must not delude himself into believing that Constitutional or common law tactics will work — ever.

This is why we do not recommend going into Roman courts. They are not Our courts, only the smoke and mirrors of an anti-Christian power trying to give the appearance of Lawful process.

What we face today, are the same imperial powers in all their arbitrary capriciousness, that have always lurked in the wings, waiting for God's People to lie down and go to sleep. A new breed of Caesar's stalk the land, seeking whom they may devour. If we fail to learn and apply the proper use of God's Law and common law; fail to learn the science and art of being self-governing Christian men and women under God; fail to teach these things to our posterity; then we, like all men who sleep in ignorance, deserve nothing but extinction and the certainty of God's judgment.

Now, comes the rude awakening!

One may scream to high heaven about courts, the IRS, BATF, FBI, and rail at countless agencies, bureaus, departments, and other tentacles of imperial government with charges of fraud, theft, murder, and a host of other crimes, but in the majority of cases, imperial governments only do what the people want. Imperial governments obey their law, but **we do not obey the law we claim which is the Law of God**. We honor it with our lips and not with our actions.

Thus, the Lord has said: "Thou shalt not take the name of the Lord thy God in vain; {19} for the Lord will not hold him guiltless that taketh His name in vain." And the agent on Earth to exact punishment for violations of this Commandment is none other than the courts we have today.

We violate this Commandment — daily. We do things we ought not, against God's Law, while demanding the benefits, privileges, and opportunities of ungodly governments.

> "… Thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous." {20}

It is we who commit the fraud, theft, and other crimes — against God. If we enter imperial courts, they cannot judge us by OUR law, but by THEIR law. They have no option to do otherwise because they are under the military authority of the Commander-in-Chief!!!

> Thus, the Lord has said: "Dare any of you, having a matter against another, go to law before the unjust, and not before the saints?" {21} Is this not a command to set up our own courts under Godly jural societies???

Why, if we abate a traffic ticket, does a court withdraw its Bench Warrant from service by officers in the field, yet, keeps it on the court Docket? The question is important because that is what the courts do when abatements are properly written and served on officers and judges.

The answer is; abatements tell the court that one exists in another venue and jurisdiction. The court says, "Fine, but we will keep a Warrant on the Docket in case you contradict yourself and show up in our courts, where the Warrant will be served and you will be prosecuted!"

The reason why courts recognize non-statutory abatements in the first place is because they recognize true Law when they see it. On this fact alone, the people could have stopped the imperial governments — **decades ago**.

One can protest law published in the Federal Register, but it is placed there to serve notice for purposes of public objections. Has anyone ever considered using non-statutory abatements against the Federal Register???

Laws of War, International and Municipal Law, Emergency Powers, are Imperial Law, and **not law**. All are arbitrary, capricious, and self-contradictory. Thus, the U.S. Supreme Court ruled in Erie Railroad V. Thompkins, that there is no *stare decisis*, (i.e., no prior decision of any court), which binds the present courts under imperial powers and there is thus, no federal common law.

Courts vacillate from one contradictory decision to another because they have no law standard of absolute right and wrong by which to measure a ruling. Therefore, one cannot accuse such courts of fraud. Deceit maybe (legal in International Law), but not fraud.

When true Law stares the court in the face, they **never** vacillate; they recognize it as true Law. In short, if we are who we say we are, and not what they say we are, what are we doing in their fictitious courts that have no jurisdiction over Good and Lawful Christian Men that we say we are???

Imperial courts will make certain that we strictly adhere to one law or the other. One must, therefore, either live according to God's Law, the law of substance, liberty, and self-government, or, one will live by the law of fictitious *persona*, without substance or liberty, and they will

govern every move and punish all deviation from an arbitrary and capricious system and seize one's property (interest) and *persona* at will.

Some believe the imperial system can be done away with, and replaced by another system without the taint of religion (Christianity). But, the history of the world shouts with one voice, that such is folly. Men will either be ruled by God or by Imperial Tyrants.

Thus, if one claims to be at common law, in a Christian venue, yet lives under the arbitrary, Non-Christian system, and daily engages in commerce forbidden by Scripture, one is punished for his lies, contradictions, fraud, and deceit, which are unlawful in God's court.

If one claims the benefits of God's Law and His Providence and still wants benefits from Rome and the god "*Mercury*" (in commerce), one deserves what one gets. Defendants who sit on a fence deserve to be split asunder. Remember, God is long-suffering and may take His own time to punish evil, but man wants punishment **now** and he has created the courts to fulfill that demand. The Roman gods must be satisfied whenever, and in the form, they demand satisfaction.

> But, "He that is surety for a stranger shall smart for it: and he that hateth suretyship is sure." {22}

After all is said and done, everyone seems to want to know how it's all going to turn out. But, God has said: "Therefore take no thought for the morrow, for the morrow shall take thought for the things of itself. Sufficient unto the day is the evil thereof." {23}

We know that victory is assured to God's People, and based on the analogy of Scripture, we know that when Israel was returned to the land after Babylon, that Ezra re-discovered the Law and his first task was to re-form the lawful civil power. This is our mandate under God's Law, to re-form the lawful civil power and since the existing forms of Martial Law government cannot do this, the people must. There simply is no choice.

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Words and Phrases

The Same - Only Different

Most Americans today are ignorant, misinformed or confused by what's really going on in law, today. Many, who believe they are learned in the law, have their rights violated in courts because they do not know they argue cases at cross-presuppositions.

We argue all cases in law with words and a set of presuppositions that control what we mean by the words. The courts, on the other hand, using the same words, operate from a different set of presuppositions which changes the meaning of the words and phrases to something entirely different than Our common understanding.

Under such conditions, we are merely victims in a long line of victims waiting to be fleeced who do not realize that the word games in modem court processes exist to hide the fact that the processes and procedures of all military courts have no basis in Law whatever. The subtitle of this section, "*The Same Only Different*," draws attention to a central problem in law, where words appear to say one thing, but actually mean something entirely different.

Note: All words in *italics* are Latin originals.

Rights

There are a variety of rights in law, but their meaning and usage is different, depending on many factors. Thus, there are; rights at law, rights in law, civil rights, natural rights, constitutional rights; perfect and imperfect, primary and secondary, and sub-categories in all. {26}

But, in the sense we use the word 'rights,' we generally mean something within our prerogative to do or not to do, which is not contrary to Gods' Law. Of course, all others would have the same prerogative.

From the Christian perspective, 'rights' come from God and are the heritage of all Christians, everywhere, and it is our first duty to obey God rather than men.

From natural man's perspective, 'rights' from the civil power and are known as 'civil rights.' In the common law of England and America, rights and duties came from God and were known by the practice and customs of the people as they worked out their salvation in fear and trembling. This law is known in Latin as the *lex non scripta*—the law not written, {27} for it is written on the heart of the Christian man and woman.

Civil rights are not really rights at all, because what a civil power gives can also be taken away. Thus, political rhetoric on civil rights — and extending them to everyone — is vital to the continued success of the present forms of control over citizens who opt for civil rights, rather than stand as self-governing men under God's Law. It explains why civil rights are political privileges; no law compels any politician to grant them.

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Privileges

‘Privilege’ often suggests something suspect, in that the privileged are somehow different from other people. But, in fact, it all depends on what kind of privilege we’re talking about. In man’s law, the privileges of citizens, for example, are different than those for aliens. The privileges of God’s Law and common law are different from those bestowed under Codes, ordinances, rules, and regulations. Privileges can, therefore, also be a right.

Black’s defines privilege in many ways. i.e., “A particular and peculiar benefit or advantage enjoyed by a person, company, or class, beyond the common advantage of other citizens." And as; “An exceptional or extraordinary power or exemption." {28}

Privileges are defined by usage in civil, statute, and maritime law. Privileges are necessary in parliamentary law, or there could be no ordered way to conduct business.

All privileges granted by civil powers, are fully taxable — always — otherwise there is no reason for a civil power to grant them.

The ultimate privilege of salvation in Christ comes from God and is granted only to some, and not others, by virtue of Gods’ predestinating prerogative. {29}

Often, what privilege one may exercise. Depends on which jurisdiction controls the specific man. What some do in freely exercising privileges, may require the permission of civil powers, for others to do. It may be the same privilege in both cases. The question turns on what privilege is being exercised and who is exercising it.

Particularly, this is so with respect to the so-called “right to travel vs. the license to drive." In fact, under martial powers, everyone has a right to travel, but only under a license. This is contrary to what is commonly taught in the law reform movement because they do not understand that since all commerce is regulatable under martial law, and that traveling is a right specifically applicable only to salesmen and immigrants.

The specific phrase that should be used by the law reformer is not the ‘right to travel’ but, “the liberty to use the common ways." The former is a commercial term. The latter is a term in the common law.

Ultimately, the meaning of the privilege depends on whether or not it is granted by God or man. On this question turns the entire meaning of "privilege."

If granted by God it is not triable in any court. If granted by a civil power, it is triable by any court so designated as the trier of fact.

The Doctrine of Necessity

This topic is little understood by most Americans today, yet, it is the prime force behind emergency powers and martial rule and it covers a multitude of sins committed by judges, bureaucrats, and politicians.

The meaning of "necessity" is especially baffling when one appears in court and argues a brilliant case only to hear the judge say,' 'Your case is well argued and normally I would agree with you, but, out of necessity I must rule against you."

There are several types of necessity in law.

Necessity exists in three forms: "(1) The necessity of preserving one's own life, which will excuse a homicide; (2) the necessity of obedience, as to the laws, or the obedience of one not *sui juris* to his superior; (3) the necessity caused by the act of God or a stranger." {30}

We would only add to this, "the Necessity to obey God rather than man."

Note carefully in (2) above, that those who are *sui juris* can escape the doctrine of necessity and this is the key to understanding the difference as to which man must have the permission of the state and which man needs only the permission of God.

The most important view of necessity, because of its impact on the conduct of today's emergency powers is;

> "Controlling force; irresistible compulsion; a power or impulse so great that it admits no choice of conduct. That which makes the contrary of a thing impossible. The quality or state of being necessary, in its primary sense, signifying that which makes an act or event unavoidable. A quality or state of fact or being in difficulties or in need; A condition arising out of circumstances that compels a certain course of action." {31}

At any rate, the doctrine of necessity is also used and has been so used by the United States government as justification for imposing emergency powers on the people of America. Such powers are just a thinly disguised form of martial law.

The same doctrine is also the father of eminent domain. "The right of society, or of the sovereign, to dispose, in case of necessity, and for the public safety, of all the wealth contained in the state, is called, '*eminent domain*'." {32}

But, in another decision this is qualified by saying; “when used in relation to the power of eminent domain [it] does not mean absolute necessity, but only reasonable necessity." {33}

And, “the word ‘necessity’, within a certificate of public convenience and necessity, is not used in the sense of being essential or absolutely indispensable but merely that certificate is reasonably necessary for the public good." {34}

The problem is, when the civil power says, “It’s necessary for us to do thus and so,” the question never arises as to whether or not what the civil power wants to do is lawful in the first place.

Among law reformers, the current fad is to set up common law courts and justify doing this, without the necessary prerequisites of first establishing a Lawful civil authority (or Jural Society) by invoking the doctrine of necessity.

This is pathetic, because they justify setting up what are supposed to be lawful courts with an unlawful doctrine, because the maxim of Law is: ‘necessity knows no law.’

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Emergency Powers

As stated above, necessity gave birth to the emergency powers idea that encompasses all those forms of power such as: martial law, martial rule (a more benign form of martial law), national emergencies, and so on.

When nations stoop to impose such powers on its people, they are but one step away from revolution and chaos. The only forms of law used, are international and municipal law, that have never, in the history of the world, formed the basis of a sound and long-lasting system of law.

The problem is, such law is not governed by any standard (as will be made clearer below). Thus, its nature constantly changes with the whims of the current commander-in-chief.

It frustrates, confuses, and angers the populace that must live under such governments, and eventually, the people rise up to overthrow such powers, either by concerted refusal to 'go along, to get along,' or by a bloodbath as in France in the revolutions beginning in 1790, which did not cease to occur until well into the mid-1800's.

More evidence for the potential self-destruction of such governments is seen in the fact that such governments only operate under democracies, not republics. This is done to maintain the fiction that a lawful civil authority still exists. But, democracies only stay in power as long as they can maintain a welfare state of benefits, privileges, and opportunities.

By definition, "*martial law*" and "*emergency powers*" exist in the second place because, lawful civil authority, process, and procedure have ceased to exist in the normal course of things.

> "Martial law, which is built upon no settled principles, but is entirely arbitrary in its decisions, is in truth and reality no law, but something indulged rather that allowed as law. The necessity of order and discipline in an army is the only thing which can give it countenance, and therefore it ought not to be permitted in time of peace, when king's courts are open for all persons to receive justice according to the laws of the land." {35}
>
> Further, "Martial law is neither more nor less than the will of the general who commands the army. It overrides and suppresses all existing civil laws, civil officers, and civil authorities, by the arbitrary exercise of military power." {36}

How then, does martial law affect the administration of law and the courts?

In State of California vs. O.J. Simpson, those who saw the early part of the case may remember the confusion in arraigning him. A flag without gold fringe stood in the court as he was arraigned under local common law.

Confusion arose because Simpson did not understand what the court wanted when it requested his name. Proceedings re-started and he identified himself properly. After arraignment, a new judge was assigned (Ito), and a new flag was placed in court, with gold fringe around its edge.

This is because; "The law of the territory occupied as an incident of war or belligerency whenever the local civil authority is superseded in whole or part by the military authority of the occupying power ... includes local criminal law as adopted or modified by competent authority, and the proclamations, ordinances, regulations, or orders promulgated by competent authority of the occupying power." {37}

Basically, the court, under 'law of the territory' arraigned Simpson under common law with one flag, but tried him under a military flag. Is this possible?

Congress has stated: "A majority of the people of the United States have lived all of their lives under emergency rule. For 40 years, freedoms and governmental procedures guaranteed by the Constitution have, in varying degrees, been abridged by laws brought into force by states of national emergency. The problem or bow a constitutional democracy reacts to great crisis, however, far antedates the Great Depression. As a philosophical issue, its origins reach back to the Greek city-states and the Roman Republic. And, in the United States, actions taken by the Government in time of great crises have — from, at least, the Civil War — in important ways shaped the present phenomenon of a permanent state of national emergency." {38}

National emergencies are; "A state of national crisis: a situation demanding immediate and extraordinary national or federal action. Congress has made little or no distinction between a "state of national emergency" and a "state of war." {39}

Publicists tell us, that America is the greatest nation in the world, AND, the longest lasting form of Constitutional government in the history of the world. In fact, the constitutional republic lasted from 1787 to 1861, less than seventy-five years!!! The death of the Republic, as shown above, was engineered by A. Lincoln.

> **Note:** Lincoln did not declare war on the South because he had not the power. This is so because Congress, who had the power to declare war - could not conduct business without a quorum, which was lost when seven Southern States walked out, six months before.

> There was a formal declaration of the end of hostilities but, there was never a formal Act to end martial law by the Commander-in-Chief (the President), after Lincoln's assassination.

F.D.R. created emergency powers and developed them to their highest form of expression in the history of the country. All this, while Congress was in recess, on March 6, 1933, {40} under the guise of a banking crisis.

By Executive Order, F.D.R altered one word in "*The Trading with the Enemy Act,*" {41} which made the American people living in the states '*enemies*' of the United States, and subjected them — for revenue purposes — to licensure in all commercial activities. Instead of this Act (originally passed during World War I) applying only to persons doing business with the enemy 'without the United States' it was changed to read, 'within the United States.' {42}

An extension of this idea is seen where; "The present law forbids member banks of the Federal Reserve System to transact banking business, except under regulations of the Secretary of the Treasury, during an emergency proclaimed by the President." [12 U.S.C.A., Section 95.]

Congress returned from recess and rubber-stamped Roosevelts' E.O.'s, and in less than two years, all the States passed similar statutes. Because of 12 U.S.C.A., Sec. 95 (above) - every President re-affirms the state of national emergency, annually. {43}

The answer to the questions asked above "are we living under martial law, etc.?" - by now it must be an emphatic, YES!!!

Where is Congress in the scheme of things? What sort of power does it have?

In the U.S Codes, we find 'The Congress' is not a body that sits according to law or positive Act, but by resolution. {44} The word 'resolution' means, "The term is usually employed the adoption of a motion, the subject matter of which would not properly constitute a statute, such as a mere expression of opinion; an alteration of the rules; a vote of thanks or of censure, etc.. Such is not law, but merely a form in which a legislative body expresses an opinion." {45}

And, "The chief distinction between a 'resolution' and a 'law' is that the former is used whenever the legislative body passing it wishes merely to express an opinion as to some given matter or thing and is only to have a temporary effect on such particular thing, while by a 'law' it is intended to permanently direct and control matters applying to persons or things in general." {46}

To this day, a President pays lip-service to Congress with Declarations of War. Now we know why there is always such a public display each time the President and Congress come into

conflict when such situations arise, (The Korean War, The Vietnam War, Grenada, Desert Storm, etc., etc., etc.). In fact, the President, as the Commander-in-Chief with emergency powers, never needs the approval of Congress (or anyone else) to engage in 'peace actions,' or war.

Thus, today, Congress makes only 'public policy.' Such Acts are, officially, "Public Law," but they have no real substance in law.

"Public Law" is in realty "Private Law," which is; "The principles under which the freedom of contract or private dealings is restricted by law for the good of the community." {47}

Now, for those who moan, roll their eyes and beat their breasts each time Christians speak of God's Law, and claim that any Law based on God's Law would impose morality on the people, consider that;

> "The term 'policy', as applied to a statute, regulation, rule of law, course of action, or the like, refers to its probable effect, tendency, or object, considered with reference to the social or political well being of the state. Thus, certain classes of acts are said to be 'against public policy,' when the law refuses to enforce or recognize them, on the ground that they have a mischievous tendency, so as to be injurious to the interests of the state, apart from illegality or immorality." {48}

Or, legality and morality have nothing to do with public policy. We just don't want to injure the interests of the state. In other words, whether its legal or moral doesn't matter so long as the interests of the state are advanced. If this is not a statement of morality then the English language has no meaning.

> Further; "Public policy is a variable quantity; it must and does vary, with the habits, capacities, and opportunities of the public." {49}

"Whatever Lola wants, Lola gets." A cliché comes to mind here, something like, "What is moral depends on whose ox is gored."

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Martial Law Principles

As they relate to the institution and execution of martial law, its principles are as follows:

> "**First**. That no government worthy of the name will permit itself to be overturned, the object for which it was instituted to be defeated, by the turbulent element in its midst, simply because the civil administration fails, whether culpable or otherwise, to perform the function prescribed by the written law; but, in such case, it is the right and duty of government, in self-defense, to resort to a higher and unwritten law to meet the exigency.
>
> "**Second**. That the force called into active operation in this exigency is of necessity the military and martial law is its rule of conduct.
>
> "**Third**. That martial law thus may be invoked either by the executive or the law-making power, although the former generally will be the case.
>
> "**Fourth**. A proclamation establishing martial law, while convenient as notifying to all the true conditions, is not necessary; but the placing the military in control, by proper authority, carries its own proclamation that martial law there prevails.
>
> "**Fifth**. In the exercise of this power the military may, if convenient to all authorities, utilize the civil administration; but this to the extent only that the military may deem such course desirable.
>
> "**Sixth**. In the enforcement of martial law, the military may not wanton with power and use it tyrannically or for the oppression of the community; and should this be done, the perpetrators, after law has resumed its proper sway, may be brought before the civil courts, where such acts may be inquired into; the question for the court to determine in such case being how the heart stood when such alleged unlawful acts were perpetrated. {50}

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The Gold Fringed Flag

The law reformers are always saying that the gold-fringed flag that hangs in all the courts of this land is an admiralty flag. This is more mythology. The truth is, admiralty is limited only to certain kinds of actions, none of which are dealt with in most of our courts today. This ought to give someone a clue.

But, just what does such a flag signify? Is the fringe just decoration? Where does the Gold Fringed Flag come from?

In 1959 (as President), Dwight David Eisenhower, by E.O. {51} and in the Federal Register, {52} and pursuant to law, {53} stated that: "A military flag is a flag that resembles the regular flag of the United States, except that it has a Yellow Fringe border on three sides."

The President designates this deviation from regular flags, by Executive Order, and in his capacity as Commander-in-Chief thus, "The Fringe is strictly within the discretion of the President as Commander-in-Chief of the Army and Navy. {54}

The continued use of such fringe is prescribed in current Army regulations. {55}

> "Ancient custom sanctions the use of fringe on regimental colors and standards, but there seems to be no good reason or precedent for its use on other flags." {56}

According to Army Regulations, {57} "the Flag is trimmed on three sides with Fringe of Gold, "2½; wide," and that, "**such flags are flown indoors, ONLY in military courtrooms**." And, further, "the Gold Fringed Flag is not to be carried by anyone except units of the United States Army, and the United States Army division associations."

Question??? Why does this flag fly in all Federal, State, County, and City courts if they are not military courts? Why does the U.S. flag fly over, or above, all state flags? This never happened before 1861. Does this specific year ring a bell with anyone?

The truth is, the gold-fringed flag flies in military courts that sit in summary court martial proceedings against civilians and such courts are governed, in part, by local rules, but more especially by "The Manual of Courts Martial." {58}

What is an Enemy?

To clarity whether or not the people are the enemy of the United States subject to military courts, one need only acquire the Manual for Courts Martial and look up the word, '*Enemy*.'

> Enemy, "Includes organized forces of the enemy in time of war, any hostile body that our forces may be opposing such as a rebellious mob, or a band of renegades, and includes, civilians as well as members of military organizations. 'Enemy' is not restricted to the enemy government or its armed forces. All the citizens of one belligerent are enemies of the government and all the citizens of the other." {59}

Organized forces not only includes the regular military, but the National Guard, all state, county, and city law enforcement officers under the National Guard. In effect this means, we are being held Arbiterage, "open and notoriously," by our own neighbors, friends, and loved ones.

Last, concerning what constitutes a time of war, it: "exists for purposes of R.C.M. 1004(c)(6), and Parts IV and V of this manual," {60} in virtually every act conceivable by any person, against which the United States government has made a law, rule, or regulation. The details of the crimes **that civilians can commit**, that are classed as 'Acts of War,' cover 125 pages in "*The Manual for Courts Martial*."

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Citizen, Neutral, Sovereign Citizen, State Citizen, or Foreign National?

There has been considerable noise among law reformers concerning one's status, i.e., whether one is a citizen, neutral, or some other. One idea is, one defends himself by being a 'state citizen'.

Now, the status of a state citizen depends on what state he is a citizen of. The problem is, who is governor, attorney general, secretary of state, and who represents the state citizen? To claim state citizenship when the officers of that state do not exist, is not just bogus argument, but ludicrous, as well.

The same is true for 'common law citizens.' There is nothing in law that even remotely defines 'common law citizen.' The reason why is, common law is a body of law, process, procedure, rights, privileges, immunities, courts, and duties, common to all men by virtue of their Christian status. It supplies no rules to create a state. One would think that this should be an absolute pre-requisite for the existence of 'common law citizens.' Without a state of some kind that protects ones rights, there are no citizens of the common law variety or any other.

Black's Law says a citizen, in General Law, is; "A member of a free city or jural society, possessing all the rights and privileges which can be enjoyed by any person under its constitution and government, and subject to the corresponding duties." And, "In American Law, one who, under the Constitution, and the laws of the United States, or of a particular state, and by virtue of birth or naturalization — within the jurisdiction — is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights." {61}

One can claim to have revoked, rescinded, or abolished all the applications for benefits, privileges, immunities, or opportunities in commerce that he has entered into in the past, or try to abolish his signatures on such documents, but there is no authority in such instruments to compel the martial law governments to comply. Besides, a subject does not compel the performance of the master.

A Neutral, at first sight, is one who appears dis-interested to the standing of belligerents in a war. But, "citizens of neutral [states], resident in, or visiting invaded, or occupied territory, can claim no immunity from the customary laws of war relating to communications with the enemy." {62} Any form of intercourse with the enemy, is communications with the enemy. Taking the stance of a Neutral will not help you get there from here.

There are also those who claim to be 'sovereign citizens.' In American law, there is no such thing, because the only sovereign is the people, **in a collective sense**, who are **cloaked with sovereignty under God**, the only real Sovereign. And the People are only cloaked with sovereignty while they act in accordance with God's Law.

Those who act in commerce have no sovereignty because they are acting within the *lex mercatoria*, the law of the merchant, *Lex mercatoria* is also the domain of the god "Mercury," (i.e., the god of traders and thieves.). Are these 'sovereign citizens' Godly people, or pretenders to a jurisdiction that does not exist?

A Foreign National is, "all persons whether or not subject to military law, except the military judge, members, and foreign nationals, outside the territorial limits of the United States, who are not subject to the code." Territorial jurisdiction; "is considered as limited to cases arising, or persons residing, within a defined territory, as a judicial district, etc.. The authority of any Court is limited by the boundaries thus fixed." A territory is also, "a part of a country, separated from the rest, and subject to a particular jurisdiction." {63}

The term '*United States*' {64} has many meanings. "It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in [the] family of nations, it may designate territory over which sovereignty of the United States extends, or it may be [a] collective name of the states which are united by and under the Constitution." {65}

The United States is defined in Title 26, The I.R.S. Code as, "the District of Columbia, Guam, Puerto Rico, Virgin Islands, Northern Mariannas Island, and American Samoa." {66}

Foreign nationals are unique and may live under a separate law system, within the geographic limits of martial law powers. The most well-known example of this is the Amish Christian sect. This ought to give someone a clue.

The bottom line is, the only man or woman outside martial law jurisdiction and courts is the Christian — **when acting in the mode and character of a Christian**. The problem today is, most Christians are engaged in commerce and thus void all their rights, privileges, and immunities under God and accepting instead the benefices of Mercury and this places them under martial law.

In short, we have sold Our birthright for a mess of pottage.

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Person, Human Being, Natural Person, Natural Man

'**Person**' is; "An indispensable word with varied, overlapping meanings. Often used without definition, as in the United States Constitution (Articles I, II, III, IV; Amendments IV, V, XII, XIV, XII). Defined, and redefined, in an endless succession of special purpose statutes, with no assurance to the profession that this is the person you thought you were talking about. The definitions here give an overview of current usage." {67}

'**Person**' is defined as human being, {68} and not **a** human being. {69} It can mean one who holds a "morality common to human beings," {70} an individual, or a natural person. {71}

It also means 'artificial person' which covers all forms of corporations or incorporation, profit or non-profit, and is a being distinct from its shareholders. {72}

Thus, a church corporation [501(c)3] is a person, {73} but an un-incorporated church, or association, is not a person unless expressly declared such by statute. {74}

One may say the Christian church has always had the right to be a *corpore*, but this is true only if the church has not sought privileges from governments. In such case, a church exchanges its rights, for privileges. *Corpore* does not apply to state authorized corporations — anywhere in law.

One definition of human being is, "[A] monster {75} ... . A human-being by birth, but in some part resembling a lower animal." {76} Blackstone says a 'monster' is one who "hath no inheritable blood, and cannot be heir to any land, albeit it be brought forth in marriage; but, although it hath deformity in any part of its body, yet if it hath human shape, it may be heir." {77}

Elsewhere, a human being {78} is "mundane; secular." If so, what do Christians have to do with such ideas, and why do so many Christians consider themselves 'human beings'? Is not this a contradiction in terms?

The Apostle Paul is the last word on 'natural man.' "But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him; neither can he know them, because they are spiritually discerned. But he that is spiritual judgeth all things, yet he himself is judged of no man. For who hath known the mind of the Lord, that he may instruct Him? But we have the mind of Christ." {79}

The point is, 'persons' and all its related entities, are subject to Codes, Ordinances, Rules, and etc., of the U.S., the 'States of', 'Counties of' and 'Cities Of.' {80} Read the codes and see for yourself. They only speak of 'persons'.

The Rules of English Grammar

Since martial powers cannot use lawful civil authority, process, and procedure, they must use some form of language in which to write statutes, codes, ordinances, rules, etc..

Accumulations, simplifications, and systematic treatments of statutes, are called Codes. “The Code of Federal Regulations, is not a Code of laws, but an annually up-dated, collection of the regulations enacted by executive regulatory agencies without the authority of Congress." {81} Emergency power Codes are, with their hodge-podge of words, phrases, meanings, convolutions, etc., are a code of hidden meanings that is never interpreted consistently by any branch of the government, much less by bureaucrats.

Capitalization and abbreviations of words and names of persons is a devious thing in these codes and in the process which flows from them. Thus, when a court issues judgment against a defendant, the Order is always typed in all capital letters, as follows; IT IS SO ORDERED, which, in the rules of English Grammar, has no meaning — at all.

A name typed in all capital letters on driver’s licenses, social security cards, court documents, process, and credit cards, is called a ‘*nom de geurre,*’ literally, a “name of war." {82} Thus, under international law, all parties to a case must appear by the *nom de guerre*, because an “alien enemy cannot maintain an action during the war, in his own name." {83}

But, in lawful civil process actions can only be filed against Christians in the full Christian appellation, according to the Rules of English Grammar, i.e., in upper and lower case letters as in proper nouns. Thus, only in a baptized name (first, middle, and family), can he be prosecuted because process issued in any other flame is defective.

> “If the Christian name be wholly mistaken, **this is regularly fatal to all legal instruments**, as well declarations and pleadings as grants and obligations; and the reason is, because it is repugnant to the rules of the Christian religion, that there should be a Christian without a name of baptism, or that such person should have two Christian names, since our church allows of no re-baptizing: and therefore if a person enters into a bond by a wrong Christian name, he cannot be declared against by the name in the obligation, and his true name brought in an alias, for that supposes the possibility of two Christian names; and you cannot declare against the party by his right name, and aver he made the deed by his wrong name; for that is to set up an averment contrary to the deed; and there is this sanction allowed to every solemn contract, that it cannot be opposed but by a thing of equal validity; and if he be impleaded by the name in the deed, he may plead that he is another person, and that it is not his deed." {84}

The same is true for parts of names abbreviated. For an initial is “no name at all." {85}

> “An initial cannot be regarded as a Christian name." {86} And, “We are of opinion that the word ‘misnomer, ’ which means a naming amiss, is wide enough to cover, the faulty indication of a Christian name by means of an initial." {87}

Concerning misnomer, it is “a good plea in abatement, for since names are the only marks and indicia which human kind can understand each other by, if the name be omitted or mistaken, there is a complaint against nobody." {88}

One reason why all emergency powers courts have no lawful process is because — they never use the lawful Christian name, spelled according to the Rules of English Grammar, i.e., as a proper noun. But, one must assert the error in the name as soon as one receives any process from such governments or one can never raise the question again. {89}

Especially is this seen in the heading of martial law process whose courts are forbidden to use any process contrary to international law under which they sit. If used, it is fatal to their process, when properly exposed — at the outset of any process issued by such courts or their agents.

It is interesting to note an I.R.S. scheme in forms and letters to alleged taxpayers. One name is always abbreviated in all letters. They request only a middle initial, not a full name. {90} Often, when the *nom de guerre* issue is raised against them, they change a *nom de guerre* to some form of abbreviated name, and thereby seek to give the impression as ‘reasonable’ men who only want to comply with law.

Affidavits in all caps have no meaning (verified complaints) and are repugnant to the laws of English grammar. They have no real force and effect in traffic warrants, notices of warrants, notices of liens and levies, and so on, and so on, and so on, unless one has already granted jurisdiction. Their purpose is, to seduce the unwary into ‘voluntary compliance.’

One may see words in martial law process like; “You must appear, blah, blah, blah .... . It appears to demand a personal appearance, but in law, ‘must’ means ‘may.’ What’s really being said is, “We invite you to appear for the benefit of discussion." Only the word ‘shall,’ compels performance.

Other Deceptive phrases are: “Notice of” means “an invitation to,” “Notice to Appear,” “Notice of Levy/Lien,” “Notice to Remove,” “Notice of Warrant,” “Notice of Trespass,” “Order to Show Cause,” “Order and Demand” and many others are, simply, deceptive word games.

Commonly, emergency powers' agents send letters to people, threatening or implying all sorts of things. But, the letter, no matter who sends it, has no force or effect in law, unless you voluntarily default with an improper response. Most people write a letter back, not realizing the agent who sent the letter, now knows you have no idea of what the law is, because you answered a letter with a letter, not lawful process.

Failing to answer letters with lawful process in common law, subjects one to martial law process and a case will result, with default. This is true of all communications from such powers, or agents. By the way, the I.R.S. has no lawful authority to send letters to anyone in the fifty states who is not actively engaged in a trade or business with the Federal government, i.e. the Federal corporation known as the "United States."

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De Facto, De Jure, and Republican Forms of Civil Governments

De facto means, “a government of fact. A government actually exercising power and control in the state, as opposed to the true and lawful government; a government not established according to the constitution of the state, and not lawfully entitled to recognition or supremacy, but which has nevertheless, supplanted or displaced the government *de jure.* A government deemed unlawful, or deemed wrongful, or unjust, which, nevertheless receives presently habitual obedience from the bulk of the community." {91}

> “But there is another description of government, called by publicists, a ‘government *de facto*’, but which might, perhaps, be more aptly denominated a ‘government of paramount force.’ Its distinguishing characteristics are, (1) that its existence is maintained by active military power, within the territories, and against the rightful authority, of an established and lawful government; and (2), that, while it exists must necessarily be obeyed in civil matters by private citizens, who, by acts of obedience, rendered in submission to such force, do not become responsible, as wrong doers, for those acts, though not warranted by the laws of the rightful government. Actual governments of this sort are established over districts differing greatly in extent and conditions. They are usually administered directly by military authority, but they may be administered, also, by civil authority, supported more or less by military force." {92}

The term “*de facto*, as descriptive of a government has no well-fixed and definite sense. It is perhaps, most correctly used as signifying a government completely, though only temporarily, established in the place of the lawful or regular government, occupying its capital and exercising its power, and which is ultimately overthrown, and the authority of the government *de jure* re-established." {93}

> A *de jure* government is “a government of right; the true and lawful government; a government established according to the constitution of the state, and lawfully entitled to recognition and supremacy in the administration of the state, but which is actually cut off from power and control. A government deemed lawful, or deemed rightful or just, which, nevertheless, has been supplanted or displaced; that is to say, which receives not presently (although it received formerly) habitual obedience from the bulk of the community." {94}

Thus, all genuine lawful process against the unlawful processes of martial powers, makes of the process issuer the representative of the *de jure* civil power who is: “lawfully entitled to recognition and supremacy in the administration of the state, but which is actually cut off from power and control." [see above.]

A republican form of government is “one in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated." {95}

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Christianity

Concerning Christianity and its relationship to the law, Bouvier says it is; “The religion established by Jesus Christ.”

> “2. Christianity has been judicially declared to be a part of the common law of Pennsylvania, {96} New York, {97} Connecticut, {98} Massachusetts. {99} To write or speak contemptuously and maliciously against it, is an indictable offense ...." {100}

The word 'church,' “signifies a society of persons who profess the Christian religion; and in a physical or material sense, the place where such persons assemble. The term 'church' is *nomen collectivum*; it comprehends the chancel, aisles, and body of the church." {101}

> “2. By the English law, the terms 'church' or 'chapel,' and 'church-yard,' are expressly recognized as in themselves correct and technical descriptions of the building and place, even in criminal proceedings." {102}

> “3. It is not within the plan of this work to give an account of the different local regulations in the United States respecting churches. References are here given to enable the inquirer to ascertain what they are, [and] where such regulations are known to exist." {103}

A church-warden is “an officer whose duties are, as the name implies, to take care of, or guard the church.

> “2. These officers are created in some ecclesiastical corporations by the charter, and their rights and duties are definitely explained. In England, it is said, their principal duties are to take care of:
>
> 1. the church or building;
> 2. the utensils and furniture;
> 3. The church-yard;
> 4. Matters of good order concerning the church and church-yard;
> 5. the endowments of the church. By the common law, the capacity of church-wardens to hold property for the church is limited to personal property. {104}

The question is; Why are Christians not asserting their rightful place in Law, and pressing the Crown Rights of King Jesus? Why are Christians not defending the rights of life, liberty, and property on the basis of God's Law?

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Summary

Since military law only recognizes municipal law, states create municipal courts to punish 'infractions' of Motor Vehicle Codes. "Infraction," along with "contempt" and "appeal" are all military terms, and not from civil law. This is why such terms are often not defined in State Codes. {105}

Such courts fly the Commander-in-Chief's flag, (gold fringed) and thus, are an extension of the President's power, on whose behalf they collect war reparations by fine, penalty, etc.. All operate as military courts in summary court martial proceedings. Such courts only try matters of fact. Judges make and declare law on a case by case basis, without the controls of precedent or constitutional restrictions. The law is thus, that which comes out of the judges mouth.

Municipal Court (traffic courts) judges act for the Commander-in-Chief in the field under emergency conditions, as evidenced by the flag of the Commander-in-Chief with gold fringe that flies in all their courts. Judges resolve cases by the doctrine of necessity. In such courts; constitutions, *stare decisis*, etc., and civil law of lawful civil authorities, are not heard as evidence in defense of a cause — **with any binding effect on the judge**.

The key clause here is, 'binding effect.' Do not be deceived by a judge hearing your constitutional arguments. Often bored, they will hear considerable constitutional argument and *stare decisis*. But, such cites do not bind the judges ruling in summary court martial proceedings.

With emergency Powers, final authority is always the chief military commander, which in this nation is the Commander-in-Chief, i.e., the President in his military office. This accounts for the Executive Order snow storms since F.D.R., who first declared — openly — seizure of Emergency Powers in March, 1933, again, by E.O.'s. From Lincoln to F.D.R., a span of some seventy odd years, there were less than 2,000 E.O.'s issued by Presidents of the United States. Since F.D.R., in just sixty years, E.O.'s now number more than 17,000.

Since, under emergency powers, there is no lawful, civil, or constitutional authority, or LAWFUL civil courts, neither is there any lawful civil or administrative process. This is key to understanding such courts when the ignorant attempt to bring constitutional arguments to court.

Common law advocates constantly try to bring actions based on constitutional or precedential argument to courts that cannot hear such argument. Then, when the court rules against them, they scream that the "courts are just rolling over us."

Remember, the argument is in the process, not in trying to argue the case from a Constitutional standpoint. Emergency power process MUST BE DEFECTIVE in form and the authority of it is thus compromised when compared to lawful process.

All process is perfected by personal appearance, special appearances, and any other form of appearance, because there is never, in such appearances, a challenge to the form of the original process. Thus, all court appearances in such courts are VOLUNTARY.

It does not matter how many errors one finds in martial law process. If one appears, one loses, because one has waived service of defective process {106} and submitted to defects of process and the court, and is thus, denied the protections of lawful constitutional, common law, and/or the fundamental rights of Men as Christians.

> "Modern law does not seek to compel appearance, but if the defendant is properly served and neglects to appear and plead, the court will render judgment against him for default of appearance." {107}

There are many who believe that special appearances (by paper work, motions, etc.) nullifies a martial law court's jurisdiction. This is false doctrine. There is no remedy challenging jurisdiction except by an abatement, first. Abatements do not challenge jurisdiction, they challenge the process itself, upon which the jurisdiction depends.

Special appearances fail if a judge knows what he's doing. Under martial rule, judges do whatever they want, whenever they want, so long as they do not alarm the public or disturb the peace. But, if "the defendant or his attorney does any act with reference to the defense of the action, he is held to submit himself to the authority of the court, and all defects of service of process, are cured." {108}

Be warned, the court is not a building or judge, it's the process, the paperwork that starts the court action in the first place. If a court's paperwork is defective there is no court and it ceases to exist, regardless of whether or not the court sits under martial or constitutional law.

By necessity, field officers (judges, highway patrolmen, sheriffs, etc.) exercise powers of life and death to maintain authority given them by international and municipal law that prohibits lawful civil authority, or constitutional mandates, because such procedures are too demanding for timeliness and are therefore, clumsy for military, or quasi-military, operations.

Constitutional and common law precedents are too restrictive for Federal, State, County, and City powers, because they hamper, or slow down, military procedures aimed at collecting war reparations against the U.S. debt.

Military courts exercise "benefit of discussion" {109} and acquire jurisdiction as soon as the 'accused' asks or answers any question posed by a court or its prosecuting officer. Arrest Warrants with a judge's signature in black ink and proper affidavits with true court seals, are instruments of lawful process and thus, are not used in martial law courts. Any argument, therefore, by a defendant on these grounds alone, will thus be ignored.

Martial law courts manipulate Rules of English grammar to protect their own status. Thus, 'states' write their name as "The State of California," (instead of California State or California Republic) or in all caps as in THE STATE OF CALIFORNIA, instead of proper upper and lower case letters, and use abbreviations such as CA, TX, MT, KS, NY, NJ, and so on, ad nauseam, all of which are misnomers and no names at all, as we've shown above. International law require all parties to a case, to appear in some name other than their lawfully spelled name.

The real irony is, the United States and the States, created martial law courts to expand their power to collect revenue. But, by doing so, they are vulnerable to lawful processes. And, there is little they can do about it without contradicting international law. This is why the U.S. will never pull out of the United Nations voluntarily, because the U.N. is the source of the United States' authority to protect itself under International Law.

The point is, one who brings properly written lawful process against unlawful process — must prevail.

A word of caution here. One who hires an attorney-at-law cannot bring lawful process against emergency powers' courts. Remember, attorneys are agents of a court and can only use processes allowed by the court that licenses the attorney to practice. {110}

One must not hire an attorney {111} to appear in martial law courts because, doing so, automatically grants jurisdiction. A plea, "to the jurisdiction of the person, must be pleaded in person, and not by attorney. If pleaded by attorney, it is a submission to the jurisdiction of the court." {112} And, "A plea to the jurisdiction of the person by a corporation must be by attorney." {113}

Further, Arrest Warrants with a judge's signature in black ink, warrants with proper supporting affidavits, and court seals are lawful process and are not used in martial law courts. That's why such warrants always fail the test of lawful process.

And, what about the Constitution of the United States of America in all this?

Without lawful process, all constitutions are dead letters and facades, manipulated at a governments whim because, lawful process, itself, is based on the Constitution. They are thus interdependent. In short, if one is gone, so is the other.

Lincoln set precedence for subversion of the Constitution in The War in 1861. {114} If Constitutional cites fit a Federal need, they are used. If a constitution or precedent gets in the way, it is ignored. Thus, constitutions are merely optional. {115}

This is why many Supreme Court cases ("Right to Privacy," abortion, social security, etc.) in which there is no right, constitutional or otherwise, happen. A 'social agenda' is impossible without the 'Doctrines of Necessity' and 'international law' to justify imposition of martial law. Remember, there was no Federal Social Security before passage of the International Labor Organizations Treaty (1935). It mandated a social consciousness and enfranchisement of the masses. It created the massive entitlement programs the people are burdened with today.

The hidden fact is, constitutional rights are 'privileges' that can be given or taken away, by necessity and international law. Thus, in the Simpson case, when Mark Furman was called to testify about the infamous tapes, etc., he answered questions with: "I wish to assert my Fifth Amendment "PRIVILEGE."

> **Note:** Furman asserted no RIGHT — only a PRIVILEGE with words given him by his attorney/agent of a martial law court. 'Privileges,' denied at a Commander-in-Chief's whim, tell us why Congress feels so free to play with constitutional rights, i.e., in the Second Amendment, i.e., gun ownership, etc.. The last question is, how are emergency powers and martial law, terminated?
>
> > "The question as to when military government in California terminated, afterwards came up for discussion before the Supreme Court of the United States. The Court remarked it had its origin in the lawful exercise of a belligerent right over a conquered territory. It had been instituted during the war by the command of the President of the United States. It was the government when the territory was ceded as a conquest, and it did not cease, as a matter of course, or as a necessary consequence of restoration of peace. The President might have dissolved it by withdrawing the Army and Navy officers who administered. But, he did not do so. Congress could have put an end to it, but that was not done. The right inference from the inaction of both was that, it was meant to be continued until it was legislatively changed. No presumption of a contrary intention could be made. Whatever may have been the causes of delay, it was to be presumed that the delay was consistent with the true policy of the government; and the more so, as it was continued until the people of the territory met in convention to form a state government, which was subsequently reorganized by Congress under its power to admit new States into the Union."

> "The Court concluded, therefore, that the so-called civil, but really military, government of California, organized as it was as a right of conquest, did not cease or become defunct in consequence of the signature of the treaty of peace with Mexico or from its ratification; and it was continued over a ceded conquest without any violation of the Constitution or laws of the United States." {116}

Martial law powers are terminated in only three ways.

First, a Commander-in-Chief can terminate martial powers by Executive Order. The emergency then ends on a specific date and time. But, a lawful civil authority must exist (U.N.?) to which he may cede the authority and power of a martial law government.

It is clear that, if the President terminated the national emergency and martial rule tomorrow, it would make no difference in how the law is currently administered, since there is no lawful civil authority to whom the President could turn over the management and administration of the civil government.

Second, a conquering power can terminate emergency powers by its own E.O., or decree.

Third, the emergency can be terminated by the people if they restore lawful civil courts, processes, and procedures, under authority of the "inherent political powers" {117} of the people, and they can, therefore, re-establish proper and lawful civil governments. Inherent power is, "An authority possessed without its being derived from another. A right, ability, or faculty of doing a thing, without receiving that right, ability, or faculty, from another." {118} And, again, they are "Those which are enjoyed by the possessors of natural right, without having been received from another. Such are the powers of a people to establish a form of government, of a father to control his children. Some of these are regulated and restricted in their exercise by law, but they are not technically considered in the law, as powers." {119}

This is the cornerstone of the peoples' right to form jural societies. If the people resist submission to martial law courts, process, and procedure, and respond to unlawful process with lawful process, martial law is null and void, *ab initio, nunc pro tunc*, and the profits in martial law are greatly reduced.

By lawful process, the people de-fund martial law.

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The Land Question

There is a great deal of interest in the law reform movements concerning some procedure to get back one's true title to the land he lives on. The title everyone seems to want is an allodial title to their land,

On this topic, we have some good news and some bad news.

First, there is no such thing as an allodial title! One may hold land by allodial right, or in an allodium, but there is no Lawful piece of paper that says "Allodial Title" at the top of it. The reason for this is, an allodial right is a right found in the *lex non scripta*, i.e. the unwritten law, the common law, and is not some form of title that can be granted by any civil government, much less a martial law government.

And, we must not confuse a 'land patent' with a 'title in allodium.' When the United States government patented land to anyone, it merely acted as an agent for the People and created a record of who acquired the land, how much, and what they paid for it, along with a notice of what restrictions may have applied to the land, if any. That is all.

The original patentee did not hold his land in allodium, but by right from the civil power. And, since he bought the land, he could not possibly have held the land in allodium because true title to land never passes by purchase.

In the law allodial is defined as: "A free manor; **an inheritance** that is not held of any superior. *Allodial* lands are such as are free from any rent or service (2 Blackstone 47,60: Cowel.)." {120} And, again; "Title is the means whereby the owner of lands or other real property has the just and legal possession and enjoyment of it. Title is acquired either by descent or purchase. The former covering the single case of inheritance of property by operation of law, and the latter including every mode of acquisition known to the law, except that by which a person, upon the death of his ancestor, acquires his estate by right of representation as his heir at law. **But, title passes by descent**, and not by purchase, the former being the worthier title, where the same quantity and quality of estate is devised that the devisee would have acquired by descent. A more modern division of the subject is made when we say, that title may be acquired by occupancy, a secession, transfer, will, or succession." {121}

Therefore, true title only passes by Inheritance, not by purchase. The Law concerning the descent of property listed above, reflects the Godly means of property ownership and is not commercial in any sense of the word.

However, if one sub-divides his property acquired by patent, the title immediately moves the land sale or transfer into commerce where the rules change. In this case, a lesser title has been sold than that of the original patentee and such a title is almost always insured. But, insurance is a benefit, privilege, or opportunity provided by the civil government and thus, the title must come under the government's jurisdiction and be recorded in the county recorder's office. {122}

But, once the land is recorded it is a matter of public record, and, with the imposition of martial law governments, when such titles are recorded in the County Recorder's Office, they immediately become subject to liens from almost anyone, including the IRS, etc..

How this is done is, again, by the use of old Roman law brought up to date.

Thus, the "principle of *emphyteusis* furnishes a connecting link between the Roman imperial system of land tenure and the medieval system. It arose out of the custom whereby land taken in war was rented by the State on long leases. The rent paid in such cases was called *vectigal*, and the land was called *ager vectigalis*. It was a form of leasehold property especially advantageous to corporations of all kinds, as they were relieved from all duties and cares as landlords and were secured of a fixed income. When this form was employed by private person and corporations, it was known as *emphyteusis*, the land as *fundus emphyteuticarius*, and the person to whom the land was given as *emphyteuta*. An *emphyteusis* was a grant of land or houses forever, or for a long period, on the condition that an annual sum (*canon* or *pensio*) should be paid to the owner — *dominus* — or his successors, and that if such sum was not duly paid, the grant should be forfeited. According to the law of the Emperor Zeno (475-491), *emphyteusis* was neither a sale nor a lease by a special form of contract.

> "The rights of *emphyteuta* were, first of all, the right of use and enjoyment. But he was better off than a mere usufructuary. He was rather the *bona fide* possessor of the property. The only restriction to his use of the land was that he must not cause depreciation in the value of the property. Furthermore, he could, subject to certain restrictions, alienate property. It passed to his heirs; it could be mortgaged or hypothecated; and it could be burdened with servitudes. But these rights depended upon the fulfillment of certain duties. If the *canon* was not paid for three years (in the case of Church lands, for two years), or if the land tax remained unpaid for the same period, the grant was forfeited. Here, his position was different from that of the usufructurary, for the latter paid no rent. The original rent of the land granted could not be increased by the owner, but on the other hand it was not diminished by any partial loss of the property. The *emphyteuta* had to pay all the burdens attached to the land, and deliver all tax receipts to the owner. The method of alienating the property was as follows: The *emphyteuta* ought to transmit to the *dominus* formal notice of the sum that a purchaser is willing to give for it. The owner has two months

> to decide whether he will take the *emphyteusis* at that sum; and if he wishes it, the transfer must be made to him. If he does not buy at the price named within two months, the *emphyteuta* can sell to any fit and proper person without the consent of the *dominus*. If such a person is found, the *dominus* must accept him as his *emphyteuta*, and admit him into possession either personally, by written authority, or by attestation, before *notaries* or a *magistrate*. For this trouble, the *domimus* is entitled to charge a sum (*laudenium*) not exceeding two per cent on the purchase money. If the owner does not make acknowledgment within two months, then the *emphyteuta* can, without his consent, transfer his right and give him possession." {123}

Does all this sound familiar to anyone? Do we now see where escrow procedures come from? Do we now understand that we do not own any of the land our home sits on so long as there is a record of the *emphyteusis* in the name of an *emphyteuta* in the County Recorder's Office? And, if there is any doubt in anyone's mind as to who the *dominus* is, it is the martial law powers that currently rule the land.

All this can be very depressing for those who really understand it. But, if one is a Christian and if one acts in the mode and character of a Good and Lawful Christian Man or Woman, there is another side of this coin that all the law reformers and other experts are ignorant of. It is through the other side that we really acquire and hold Our land in allodium, in spite of all we've read above. The process of acquiring and holding land in allodium is done by virtue of a higher Law that every Christian has access to.

Recall, first, "That the Earth is the LORD's and the fullness thereof." {124} Recall, also, that as Christians we have been made joint-heirs with Christ. {125} On the basis of these two incontrovertible facts it is clear that if We can discover the process to implement it, allodial title awaits every Christian in America who really desires to act in the Mode and Character of a Christian by virtue of his inheritance from God.

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Commerce vs. Unalienable Rights

'Commerce'—a supposedly harmless term we hear every day. But what is it and what does it mean to be "engaged in commerce?" Just what are some of the consequences of "engaging in commerce?" Dictionaries have part of the answer, court decisions have part of the answer, and Scripture has the definitive answer. Let us look at each of these and play a few scenarios that exist today. These scenarios, by the way, all look normal and harmless. But as we shall see, are deadly in terms of political, social, and individual impact.

> "**COMMERCE**. Trade on a large scale, or the exchange of commodities. (From the Latin *cum mercis*.)" {126}

This is a simple definition and covers a lot of territory in terms of what can be considered commerce. Let us then consult the Latin definitions of "commerce" to find out more about this mystery. In the Latin, "commerce" is:

> "**COMMERCE**. Mercatura (especially of the merchant: mercatio (commercial transaction, the buying and selling, Gell, 3, 3): negotium, or, plural negotia (the business which any body carries on, especially as corn-merchant and money-lender): commercium (commerce, commercial intercourse), Sal., Jug., l8, 6, Plin., 3, 1, 3: with anything, alicujus rei, Plin., 12, 14, 30; then, also the liberty of commerce): wholesale business, mercatura magna et copiosa: in retail, mercatura tenuis (Vid. TRADE]. The Roman merchants carry on a commerce with Gaul, mercatores Romani ad Gallos commeant (i.e., they visit Gaul with their merchandise, Caes., B.G., 1, 1). Social intercourse, conversatio, (Vell., Quint.): usus: consuetudo (of his service, & c.): convictus (in so far as one lives with any body). Vid. **INTERCOURSE**." {127}

Contrary to popular belief, the Latin language is not dead. It is carried forward in English today. "Commerce" deals with the trade, buying, negotiating, profiting, benefiting, selling or exchange of commodities on a large scale between two separate and distinct venues, intercourse. The large scale aspect of commerce necessarily involves the public's (not necessarily Christendom's) participation in some way, either willingly or unwillingly. Profiting or benefiting from the expense of the public, or their government is what must be, and is, licensed, regulated, and taxed.

> "Term 'commerce' as employed in U.S. Const., Art. I, 8, is not limited to exchange of commodities only, but includes, as well, intercourse with foreign nations, and between states [venues]; and term 'intercourse' includes transportation of passengers." {128}

The last phrase in Henius' work, "exchange of commodities" concerns us the most, because "commodities" is another term which must be defined so we can come to a true and correct definition of what truly is and is not "commerce." And the last phrase in the Raymond decision gives a clue to removing and staying out of commerce: that being conducting your affairs among those of like-mind in the state of Christendom, thereby not crossing venues. Commodities are what we hear are being traded on many of the large exchanges in New York, Chicago, Los Angeles, London, Hong Kong, Frankfurt and others. But no where on news reports are you told what is a "commodity." Consulting Henius' work:

> "COMMODITY. Something which affords convenience or profit, which can be exchanged for some other value. The commodity must be in such tangible form, whether goods and services, that it can be traded for something tangible (goods and services). Thus, a commodity becomes something that can be made the subject of trade, of acquisition as well as of an exchange offering; something possessing exchange value, that can be traded for something else." {129}

This is a broad definition of "commodity." According to this definition, anything which can be made the subject of a trade, buy and sell, or exchange is a commodity. Under this heading fall the following:

> "The word 'goods' has been interpreted generally as meaning tangible movable things, called 'chattels.' In the law of bailments, goods includes money when treated as a commodity and not as a medium [*292] of exchange, and also documents and instruments whether representing goods (e.g., bills of lading and warehouse receipts representing goods) or representing intangibles (e.g., certificates of stock representing shares in a corporation, and negotiable and non-negotiable instruments representing rights of action, such as checks, promissory notes, insurance policies, and savings bank books)." {130}

Money (magnitude without reference to substance) is a "commodity" when it is not considered coin of the realm," but is merely bought, sold, traded, or exchanged for commercial paper or military scrip, i.e., Federal Reserve Notes, and the like. This is the state of affairs when one goes to a coin dealer to buy his "lawful money" and he is charged a tax for the purchase. This is intercourse between a Good and Lawful Christian Man and the licensed merchant, who has no right to possession. When, however, the "lawful money" of Christendom returns to Christendom, it is no longer a commodity, but returns to its original Lawful character, and to the Person who has the Right to Possession. Notes, bills, drafts, cheques, and all forms of negotiable instruments are "commodities." Licenses are "commodities." Virtually anything that gives an advantage of comfort, ease, profit, or benefit, or which can be negotiated is a "commodity."

"**COMMODITY**. What possesses the quality of ease, comfort: commoditas: commodum: opportunitas (convenience). Profit, commodum: emolumentum, (advantage, opposed to incommodum, detrimentum): lucrum: fructus (gain: opposed to damnum): questus (gain, which one seeks, profit): utilitas, (general term for the use or serviceableness of any thing). Ware, or merchandise, merx. Commodities, merces." {131}

"**BENEFIT**. Beneficium. To confer a benefit on any one, beneficium alicui dare, tribuere, in aliquem conferre or deferre; beneficio aliquem afficere: benefacere alicui. Your benefits to me, tua in me officia; tua erga me merita. As a benefit, pro beneficio; in beneficii loco. Use, advantage, utilitas, usus; commodum, emolumentum." {132}

Notice the last phrase in Riddle's definition of "benefit." The same words describe "benefit" to be a "commodity" or profit. Benefits in the form of profit, when derived from pubic detriment, are commodities. Any benefit you receive from the federal government is a commodity and is therefore subject to regulation under the interstate commerce clause. Benefits received from the State governments are subject to regulation of intrastate commerce. Remember, the benefits are crossing the boundaries mapped out by the constitutions; thus, establishing a commodity moving from one venue to another:

"But where the effect of intrastate transactions upon interstate commerce is merely indirect, such transactions remain within the domain of [that] state['s] power. If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the federal authority would embrace practically all the activities of the people and the authority of the State over its domestic concerns would exist only by the sufferance of the federal government." {133}

Now what benefits could you be receiving? Are you receiving the benefit of free delivery of your mail at your house? Are you receiving the benefit of "federal corporate employment?" The receipt of a benefit from the federal government changes your whole relation to the government. Why? Because it puts you on the government defined "fief" or "feud":

"Fief. The right bestowed on any body, beneficium: *feudum (technical term)." {134}

Further, this sets up what is known as a quasi-contractual relationship, enforced in an action of assumpsit:

"Statutory contract is a contract which the statute says shall be implied from certain facts [receipt of benefit], and is governed by the ordinary rules relating to contracts." {135}
"A quasi contractual action presupposes acceptance and retention of a benefit by one party with full appreciation of the facts, under circumstances making it inequitable for him to retain the benefit without payment of its reasonable value." {136}

> "A debt resulting from a normal agreement or contract has always been the result of a promise to pay, and invoked a remedy in the form of assumpsit. However, an assumpsit cannot be applied to actions of debts where there is no agreement unless the court does so by means of a fiction, because in order to support assumpsit, it is necessary to allege a promise, and without agreement there is no promise. Historically, the courts have adopted the fiction of a promise, and it was declared that a promise was implied in law." {137}

> "For the convenience of the remedy, they have been made to figure as though they sprang from contract, and have appropriated the form of agreement." {138}

But quasi-contracts are insidious and *contra bonos mores*, when they violate the customs and usages of Good and Lawful Christian People:

> "I am the LORD thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me." {139}

> "Not only unscientific, and therefore theoretically wrong, but is also destructive of clear thinking, and therefore vicious in practice. It needs no argument to establish the proposition that it is not scientific to treat as one and the same thing an obligation that exists in every case because of the assent of the defendant, and an obligation that not only does not depend in any case upon his assent, but in many cases exists without his assent." {140}

That beneficium, benefit, is in a commercial venue separate and distinct from Christendom, which is now under the jurisdiction of the federal military power ever since the states lost in the Lincoln vs. All States War, during the hostilities from 1861-1865. When you receive any benefit, gratuity, or bounty, from government, a separate and distinct venue, you are engaged in the commercial activity of making profit or gain at the detriment of the government agency, and are marked a "resident" in this relationship. This is because "residents" exercise no traditionally vested rights retained by Good and Lawful Christian Men; and, are therefore strange to the Private Christian Man who sojoums on the land.

It is not Lawfully mandatory that any Good and Lawful Christian Man maintain any such a relationship, when that relationship attempts to deprive, cloud or destroy the Christian Man's relationship with his Lord and Saviour Jesus Christ:

> "Again it may be asked, what must be done when a human law does not agree with the Divine Law? Must such law be obeyed? Men have no right to make a law that is contrary to the law of God; and we are not bound to obey it." {141}

The way out is to destroy the existence of benefit, profit, ease, or comfort, using the Law:

> "When performance of contract depends on continued existence of given person or thing [benefit], condition is implied that impossibility arising from perishing of person or thing [benefit] excuses performance." {142}

> "Where performance depends on existence of a given thing [consideration, benefit] assumed as the basis of the agreement, performance is excused to extent that the thing [benefit] ceases to exist or turns out to be non-existent." {143}

This is the purpose of removing, destroying, returning, or otherwise Lawfully destroying the existence of benefit pleaded in statutory actions against you:

> "No man can be charged in equity as a partner [promisor, resident], and sued at law as a debtor [Christian Man] of the firm, for his adversary cannot place him in these incompatible legal attitudes." {144}

In the case of the free mail delivery, removal of the post office box or sealing of the mail slot in your door is removal and destruction of the existence of benefit. Returning of all forms of consideration, benefit, or commodum to the grantor or giver of such is the answer.
This raises the issue of "unalienable rights." No one has an unalienable right to receive any government "benefits" to the detriment of the public "commerce." This is easily seen:

> "**UNALIENABLE**. Incapable of being transferred. Things which are not in commerce [traditionally vested rights], as, public roads, are in their nature unalienable. The natural rights of life and liberty are unalienable." {145}

> "**UNALIENABLE**. The state of a thing or right which cannot be sold. 2. Things which are not in commerce [traditionally vested rights], as public roads, are in their nature unalienable. The natural rights of life and liberty are unalienable." {146}

You don't have unalienable rights in commerce, because everything is negotiable. "Every man has his price" is the mantra. This is simply because neither you, nor your neighbor, have a right vested by God to lie, cheat or steal from each other:

> "Neither shalt thou steal.
>
> "Neither shalt thou bear false witness against thy neighbor.
>
> "Neither shalt thou desire thy neighbor's house, his field, or his manservant, or his maidservant, his ox, or his ass, or any thing that is thy neighbor's." {147}

Looking at the above then, traditionally vested rights which are retained by Good and Lawful Christian Men should never be compromised by entering into commerce (i.e., employment, driving, traveling, "human resource," or labeling one's Self a "persona."). The labeling of one's Self a "persona" is when You say you are an article in commerce, or You answer to some form of commercial process which does not specifically call You. Take for example the following: You work as a welder, and you are a welder. It is all in the words. "As" means like or similar to, but it does not mean You are the commercial article. The other phrase says you are a "mercator," merchant, a thief. This is so important. It comes down to a battle for God's elect:

> "Mercator, oris, m. [mercor], a trader, merchant, esp. A wholesale dealer (opp. Caupo); Caes., Cic., Juv." {148}
>
> "Mercabilis, e, adj. [mercor], that can be bought: OV." {149}
>
> "Mercor, ari [merx]. I. To trade, traffic: P1. II. To buy, purchase.
>
> **1.** Lit.: hortos Hor.: aliquid ab aliquo, Cic.; fundum de pupillo, Cic.; quanti, Plin.
>
> **2**. Transf: ego haec oficia mercanda vita puto, Cic. Ep.; hoc mango, Verg. Perf. Part. In Pass. Sense: Sail., prop." {150}

The god of commerce is the Roman god, "Mercury:"

> "Mercurius, I, n. The son of Jupiter and Maia, the messenger of the gods; as a herald. The god of eloquence; the god of traders and thieves; the presider over roads; conductor of departed souls to the Lower World; stella Mercuri, Cic.; Mercurialis, e, adj.; Mercuriales, ium, m. Pl. A corporation of traders at Rome." {151}

Good and Lawful Christian Men are to abstain from the appearance of evil. Notice traders and thieves are on an equal basis here. And this is why commerce must be fully licensed, regulated, and taxed. Thieves deal in speculation (i.e., inflation, deflation, market trends, etc.) to derive benefit in the form of gain or profit to the detriment of the public. Speculation is:

> "**SPECULATE**. (See Speculation.) To undertake a venture the results of which are undetermined and can only be conjectured, with the hope or idea of profiting thereby. The purchase or sale of stocks, commodities, metals, merchandise, or the like, in the hopes of making a profit [getting a benefit] on account of expected but not yet determined fluctuations of market situations or prices [inflation or deflation] at the time the speculation is entered into." {152}

"**SPECULATION**. From the Latin speculare, to observe, to look around. The buying or selling of something, or the venture in a transaction the profits [benefits] of which are uncertain and subject to change." {153}

"**SPECULATOR**. The person who buys or sells something, or enters into a transaction by which he hopes to profit [benefit] although at the time of buying, selling, or entering the transaction the chances of profit are uncertain and subject to change." {154}

"The gambler [speculator] courts fortune [benefit, commodum]; the insured seeks to avoid misfortune. The contract of gambling tends to increase the inequality of fortune, while the contract of insurance tends to equalize fortune [communism]." {155}

This is what is happening all the time. Words have been changed to protect the speculators. They are now called "bankers," "brokers," "insurers," "investors," "venture capitalists," "entrepreneurs," ad nauseam. A question arises at this point: How long or often can government tax a "commodity"? The answer is: as long as that commodity is navigated through commerce, deriving a benefit from the public (i.e., to the detriment of the public), it is taxable:

"Commerce in the sense in which the word is used in the constitution is co-extensive in its meaning with intercourse." {156}

"Commerce includes intercourse, navigation, and not traffic alone." {157}

What appears normal is not Scriptural at all. Good and Lawful Christian Men are warned in Scripture to not deal in such speculation:

"Go to now, ye that say, To day or tomorrow we will go into such a city, and continue there a year, and buy and sell, and get gain: whereas ye know not what shall be on the morrow. For what is your life? It is even a vapour, that appeareth for a little time, and then vanisheth away." {158}

For this reason, when we all stepped into commerce, we all compromised our traditionally vested rights. You have only two absolute "unalienable rights:" Life and Liberty. Everything else is conditioned on your conduct and consent. Your Life and Liberty are vested by God in Genesis 2:7. Dominion over property is conditional; this is the lesson of Adam in the garden.

Just how did we all step into "commerce"? Perhaps the easiest way to put this is: when we left the land seeking something that really never existed in the first place, except in our own minds, which can be manipulated. Now many of you will say, "We still have our farm." Not so, if it is registered in the county recorder, or if you are registered to vote, or if it has a mortgage, or if it is an asset of a trust, corporation, partnership, etc., or if it has ever been sold for commercial paper,

or if its owner is receiving mail at that location. The status of the estate follows the status of its owner. This is what I mean about leaving the land. We were never to sell or compromise the land, because it is not ours: "The earth is the LORD's, and the fullness thereof" (Psalm 24:1, see also Psalm 50:12). We were to occupy till He returns, when He comes to take back that which belongs to Him. Occupation is not buying and selling for profit, or speculation from our neighbor. The armies of the earth do not buy and sell; their sponsoring speculators, however, do.

Just how dangerous can "harmless commerce" get? I believe the following remarks tell the story about the links between commerce and war:

War is just a racket. A racket is best described, I believe, as something that is not what it seems to the majority of the people, Only a small insider group knows what it is about. It is conducted for the benefit [profit] of the very few at the expense [detriment] of the masses [public].

The trouble with America is that when the dollar only earns 6% interest over here [to pay war bonds from previously funded wars], then it gets restless and goes overseas to get 100%. Then, the flag follows the dollar and the soldiers follow the flag. This is done to defend some lousy investment of the bankers [speculators].

There isn't a trick in the racketeering bag that the military gang is blind to. It has its "finger men" to point out enemies, its "muscle men" to destroy enemies, its "brain men" to plan war preparations, and a Big Boss' supernationalist capitalism [owned by the previous wars' bondholders and speculators].

I [unknown] spent most of my time being a high muscle man for big business, for Wall Street and for the bankers. In short, I was a racketeer, a gangster for capitalism.

I [unknown] helped make Mexico and especially Tampico safe for American Oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenues in. I helped in the raping of half a dozen Central American republics for the benefit of Wall Street.

The record of racketeering is long. I [unknown] helped purify Nicaragua for the international banking house of Brown Brothers in 1909-1912. I [unknown] brought light to the Dominican Republic for American Sugar interests in 1916. In China, in 1927, I helped to see to it that Standard Oil went its way unmolested. {159}

> "From whence come wars and fightings among you? Come they not hence, even of your lusts that war in your members? Ye lust, and have not: ye kill and desire to have, and cannot obtain: ye fight and war, yet ye have not, because you ask not. Ye ask, and receive not, because ye ask amiss, that ye may consume it upon your lusts." {160}

When commerce begins to wane, and profits are low, wars are fought to create or protect markets for the speculators, who own governments through funding systems, and the taxing power is nothing more than imposed slavery:

> "**FUNDING SYSTEM**, Eng. law. The name given to a plan which provides that [*552] on the creation of a public loan, funds shall immediately be formed, and secured by law, for the payment of the interest, until the state shall redeem the whole, and also for the gradual redemption of the capital itself. This gradual redemption of the capital is called the sinking of the debt, and the fund so appropriated is called the sinking fund." {161}
>
> "**FUNDING SYSTEM**. The practice of borrowing money to defray the expenses of government

In the early history of the system it was usual to set apart the revenue from some particular tax as a fund to the principal and interest of the loan. The earliest record the funding system is found in the history of Venice. In the year 1171, during a war between the republic and the Byzantine emperor Manual Commenas, a Venetian fleet ravaged the eastern coasts, but, being detained by negotiations at Chios, suffered severely from the plague. The remnant of the expedition, returning, took with it the frightful pestilence which ravaged Venice and produced a popular commotion in which the doge was killed. To carry on the war, the new doge, Sebiastian Giani, ordered a forced loan. Every citizen was obliged to contribute one-hundredth of his property, and he was to be paid by the state five per cent interest, the revenues being mortgaged to secure the faithful performance of the contract. To manage the business, commissioners were appointed, called the Chamber of Loans, which after the lapse of centuries grew into the Bank of Venice. Florence and other Italian republics practised the system; and it afterwards became general in Europe. Its object is to provide large sums of money for the immediate exigencies of the state, which it would be impossible to raise by direct taxation.

In England, the funding system was inaugurated in the reign of William, III. The Bank of England, like the Bank of Venice and the Bank of St. George at Genoa, grew out of it. In order to make it easy to procure money to carry on the war with France, the government proposed to raise a loan, for which, as usual, certain revenues were to set aside, and the subscribers were to be made a corporation, with exclusive banking privileges. The loan was rapidly subscribed for, and the Bank of England was the corporation which it brought into existence. It was formerly the practice in England to borrow money for fixed periods; and these loans were called terminable annuities. Of late years, however, the practice is different, loans being payable only at the option of the government; these are termed interminable annuities. The rate of interest on the earlier loans was generally fixed at three and a half per cent and sold at such a rate below par as to conform to the state of the money market. It is estimated that two-fifths of the entire debt of England consists of this excess over

the amount of money actually received for it. The object of such a plan was to promote speculation and attract capitalists; and it is still pursued in France.

Afterwards, however, the government receded from this policy, and, by borrowing at high rates, were enabled, when the rate of interest declined, by offering to pay off the loan, to reduce the interest materially. The national debt of England consists of many different loans, all of which are included in the term 'funds.' Of these, the largest in amount and importance are the three per cent 'consolidated annuities,' or 'consols,' as they are commonly called. They originated in 1751, when an act was passed consolidating several separate three per cent loans into one general stock, the dividends of which are payable on the 5th of January and 5th of July at the Bank of England. The bank being the fiscal agent of the government, pays the interest on most of the funds, and also keeps the transfer-books. When stock is sold, it is transferred on the books at the bank to the new purchaser, and the interest is paid to those parties in whose names the stock is registered, at the closing of the books a short time previous to the dividend day. Stock is bought and sold at the stock exchange generally through brokers. 'Time sales,' when the seller is not the actual possessor of the stock, are illegal, but common. They are usually made deliverable on certain fixed days, called 'accounting-days;' and such transactions are called 'for account,' to distinguish them from the ordinary sales and purchases for cash. 'Stock-jobbers' are persons who act as middlemen between sellers and purchasers. They usually fix a price at which they will sell and buy, so that sellers and purchasers can always find a market for stock, or can purchase it in such quantities as they may desire, without delay or inconvenience.

In America, the funding system [principally derived from the Lincoln administration] has been fully developed. The general government (as well as those of the states) has found it necessary to anticipate its revenue for the promotion of public works and other purposes. The many magnificent works of internal improvement which have added so much to the wealth of the country were mainly constructed with money borrowed by the states. The canals of New York, and many railroads in the western states, owe their existence to the system.

The funding system enables the government to raise money in exigencies, and to spread over many years the taxation which would press too severely on one [see Const. U.S.A., Article I, section 8, clauses 1 & 2]. It affords a ready method of investing money on good security, and it tends to identify the interest of the state and the people. But it is open to many objections, the principal of which is that it induces statesmen to countenance expensive and oftentimes questionable projects who would not dare to carry out their plans were they forced to provide the means from direct taxation. {162}

Also:

But there is no fact in the history of this war debt more startling than this: that the great body of these bankers and bondholders were, at the beginning of the war, but poor men; many of them

helpless bankrupts, and many of the pretended loans were mere collusions between bankers and government officers [actors], entered into for the purpose of creating money for the one [purported government] and power for the other [bankers], at the expense of the people, who would be required to raise standing armies from their children to support this [banking] power and contribute taxes from their labor to maintain the [government] funding system.

This has always been the case in the history of paper money inflations; that the pretended benefactors of government have been simply swindlers, who have imposed upon the people their worthless promises to pay in lieu of [specie] as the pretext for their robbery.

This is true (with scarcely an exception) in every country, that the government is never assisted by paper in any war. Those who issue it amass fortunes by the issue. To this one, our country has not been an exception.

In the history of insolvent estates, bankrupts, merchants, contested debts and repudiated obligations (which make up the assets of the last six years), it must not startle mankind that the honest people have thrown off the yoke rudely placed upon them by reckless and unscrupulous tyrants. {163}

And just guess where these international speculators get the bodies to die fighting their little skirmishes? Those who are on the benefice fief, feud. This is on the international level. Domestically, one can find the same occurred during the 'Lincoln v. All States War:'

> "By mere supineness, the people of the South have permitted the Yankees to monopolize the carrying trade, with its immense profits. We have yielded to them the manufacturing business, in all its departments, without an effort, until recently, to become manufacturers ourselves. We have acquiesced in the claims of the North to do all the importing, and most of the exporting business, for the whole Union. Thus, the North has been aggrandized, in a most astonishing degree, at the expense of the South. It is no wonder that their villages have grown into magnificent cities. It is not strange that they have 'merchant princes,' dwelling in gorgeous palaces and reveling in luxuries transcending the luxurious appliances of the East! How could it be otherwise? New York city, like a mighty queen of commerce, sits proudly upon her throne, sparkling in jewels and waving an undisputed commercial scepter over the South. By means of her railways and navigable streams, she sends out her long arms to the extreme South; and, with an avidity rarely equaled, grasps our gains and transfers them to herself by taxing us at every step and depleting us as extensively as possible without actually destroying us." {164}

> "You are not content with the vast millions of tribute we pay you annually under the operation of our revenue law, our navigation laws, your fishing bounties, and by

making your people our manufacturers, our merchants, our shippers. You are not satisfied with the vast tribute we pay you to build up your great cities, your railroads, your canals. You are not satisfied with the millions of tribute we have been paying you on account of the balance of exchange which you hold against us. You are not satisfied that we of the South are almost reduced to the condition of overseers for northern capitalists. You are not satisfied with all this; but you must wage a relentless crusade against our rights and institutions.

"We do not intend that you shall reduce us to such a condition. But I can tell you what your folly and injustice will compel us to do. It will compel us to be free from your domination, and more self-reliant than we have been. It will compel us to manufacture for ourselves, to build up our own commerce, our own great cities, our own railroads and canals; and to use the tribute money we now pay you for these things for the support of a government which will be friendly to all our interests, hostile to none of them." {165}

Domestically, Lincoln used deception to "save" the Union. This is evident from the record: if the Union were saved intact, Reconstruction was a nullity, because the states were intact. If, however, the Union was destroyed, Reconstruction was necessary for erecting a new union in the image and likeness of its speculating creator, 'Mercury,' under the imposed military power of the Commander-in-Chief; dedicated to the proposition that public slavery, by destroying Christianity in the states, for enhancing and expanding commerce, is a better idea.

It is no secret that the criminally infamous Secretary of the Treasury Salmon P. Chase, in 1861 (through his factotum Cooke) boasted that the initial bonds issued to fund the 'Lincoln v. All States War' were a "first mortgage" upon all the property of the United States. It is also no secret that the interest on these bonds was not paid as late as 1953. This is that same Chief Justice Chase, by the way, who created and established, by his own "judicial decree," the huge tax base to pay his filthy war bonds sold to the Bank of England, contained in the purported Fourteenth Amendment. This is why the "public" debt cannot be questioned. Could this have been a conflict of interest?

It is no secret "harmless commerce" is dangerous:

"Principiis obsta [oppose the first appearance of evil], nip the shoots of arbitrary power in the bud, is the only maxim which can ever preserve the liberties of any people. When the people give way, their deceivers, betrayers, and destroyers press upon them so fast, that there is no resisting afterwards. The nature of the encroachment upon the American constitution is such, as to grow every day more and more encroaching. Like a cancer, it eats faster and faster every hour. The revenue creates pensioners, and the pensioners urge for more revenue. The people grow less steady, spirited, and virtuous, the seekers more numerous and more corrupt, and every day increases

> the circles of their dependents and expectants, until virtue, integrity, public spirit, simplicity, and frugality, become the objects of ridicule and scorn, and vanity, luxury, foppery, selfishness, meanness, and downright venality swallow up the whole society." {166}

> "For resistance to law, every government has ample powers to punish offenders; for usurpation, governments have provided no adequate remedy." {167}

What hath "commerce" wrought? The destruction of a confederacy of Christian states.

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Final Thoughts

If we look about the land today, there appears to be nothing to justify the maintenance of "a permanent state of national emergency" by the United States government. There isn't a war going on; we aren't in a major economic collapse (yet), and the cold war appears to have thawed.

The question is, "why a permanent state of national emergency?"

The answer comes down to something quite simple and actually can be summarized in one word — 'hooked,' a.k.a. 'addicted'!!!

Research now shows a clearer and more concise answer. Briefly it comes down to the following: At least seven years before Lincoln's War, a number of states began to adjourn their state legislatures *sine die*. {168} This discovery makes no sense until we realize that the U.S. Senators of these Northern states, appointed at that time by state legislatures, {169} were the most radical proponents of policies that would drive the South out of the Union.

If successful, this would have eliminated eleven (11) out of thirty-seven (37) states and only twenty-six would be left. Missouri and three other states (one may have been California) were contemplating an exodus too, though not to join the South. If these four (4) states leave we are down to twenty-two (22) states left in the Union.

Since it takes only a two-thirds majority (25) of the states to secede and terminate the federal Constitution, any combination of ten (10) states, by *sine die* adjournment ends the Union. For all intents and purposes, there would be no united States of America, only a collection of independent countries on the North American continent.

But, why would the states want to terminate the Constitution???

The answer is: the Christian under-pinnings and presuppositions embodied in the Constitution put too many restrictions on development of commerce between the states. With the Constitution gone, it was 'survival of the fittest,' {170} and with the money power held by Northern banks, it is likely that much of the Southern raw material production would have ended up in the hands of Northern industrialists at the price that the North wanted to pay for it.

The South would have been reduced to feudal states under control of the Northern commercial interests, and slavery would probably still exist as a matter of sheer economic necessity. Then, along came 'Abe' with a better idea.

Lincoln's ego could not agree with the idea of the united States being broken up, especially on his watch. He also knew the smell of the winds blowing out of the North and turned it to his advantage. His problem was, how to keep the Union together at least while he was President, and still satisfy the demands of the Northern industrialists, commercial interests, and bankers.

Remember, at this time in our nation's history, the country was literally busting out at the seams with western expansion, discovery of gold in California, development of steam plants and engines, invention, and so on. Everyone was scrambling to get his piece of the pie and with the Christian consensus greatly reduced, there was no one to sound the alarm from the pulpit. We can now see that Lincoln's plan to put the nation under military law and resurrect the old Roman law with its heavy emphasis on commerce, satisfied all competing interests, except those of the South and the common people of America. More importantly, it got rid of the Constitution and served notice on a Christian world that, the united States was no longer a Christian nation.

To show its gratitude to the United States for what it had done in rejecting Christianity, France produced a monument to its own French Enlightenment view of law and liberty. Today, this monument stands just off the coast of New York on an island all its own. This monument may be called the 'Statute of Liberty,' but it is in fact, a celebration of lawlessness and licentiousness. The Greek and Roman character of the statue is lost only on the ignorant.

That the elimination of the restrictions of God's Law was in the mind of all, is clear. The assault on Christianity in politics and civil government that was begun by Lincoln in the massive blood-letting of Lincoln's War was simply carried to its logical conclusion by Roosevelt.

Today, the United States government is in the unenviable position of being between a rock and a hard place. Its people demand "bread and circuses," its politicians are little more than dilettantes, major industrial powers upon whom the tax system is based are leaving the land, the lawyers and tax men suck the substance from the people's lives and subvert their liberties daily, the bureaucrats cannot even get paid, and throughout the land there is a wailing and gnashing of teeth as the pain level rises.

And all this because the people in America gave up the God who gave them life, liberty, and property, and exchanged Him for the gods of 'Mars' and 'Mercury' so they could engage in commerce and everyone would then have the 'privilege' of engaging legalized theft that brings profit only to the rich. We have all become 'hooked' on commerce and the easy life and have even re-defined what is left of Christianity to justify it. After all, even our churches sit in commerce as 501(c)3 corporations.

Either the people will turn back to the God who gives them life, and obey His Laws, or they will be ground to dust, mixed with their own blood, on their own land. Thus:

> "If My people, which are called by My name, shall humble themselves, and pray, and seek My face, and turn from their wicked ways, then I will hear from Heaven and will forgive their sins, and will heal their land." {171}

> "But if ye turn away, and forsake My statutes and My commandments, which I have set before you, and shall go and serve other gods, and worship them; then will I pluck them up by the roots out of My land, which I have given them; and this house, which I have sanctified for My name will I cast out of My sight, and will make it to be a proverb and a by-word among all nations." {172}

Pease Note: God is not speaking here to the 'other guys', the non-believers, but, to You and Me, today, now, and forever.

Even so, Come, Lord Jesus. Amen.

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Endnotes:

{1}	See, The Journal of the Senate of the United States of America Being the Second Session of the Thirty-Sixth Congress; Begun and Held at the City of Washington, December 3, 1860, in the Eighty Fifth Year of the Independence of the United States. Published at Washington; by George W. Bowman, Senate Printer, 1860-61.
{2}	Robert's Rules of Order Revised, Seventy-Fifth Anniversary Edition, by General Henry M. Robert, Scott, Foresman and Company, Publisher, 1915, pages 257-261.
{3}	Robert's Rules, supra, page 62.
{4}	Robert's Rules, supra, page 63.
{5}	Apparently the California legislature could not make up its mind of what day to adjourn *sine die*. But, see "The Statutes of Ca1ifornia" passed at the Fourteenth Session of the Legislature, 1868 at pages 790-91. Published by Benjamin P. Avery, State Printer. 1863.
{6}	See, "A Compilation of the Messages and Papers of the Presidents," by James D. Robinson, Volume VII, published by the Bureau of National Literature, Inc., New York, 1897.
{7}	The Lieber Instructions were promulgated as General Orders No.100 by A. Lincoln, 24 April, 1863.
{8}	Text Published in: Instructions for the Government of Armies of the United States in the Field, prepared by Francis Lieber, LLD, Washington, 1898: Government Printing Office (Engl.).
{9}	Lieber Instructions, supra, page 2.
{10}	Lieber Instructions, supra, page 5.
{11}	Bouvier's Law Dictionary and Concise Encyclopedia, by John Bouvier, Third Revision, 8th Edition, by Francis Rawle, in Three Volumes, published by William S. Hein Company, Buffalo, New York, 1984. See, Volume II. "Maxims," page 2131.
{12}	See President Andrew Johnson's veto message, parts of which are reproduced in 'The Congressional Record' of June 13, 1967, at page 15643.
{13}	From the Correspondence of General Robert E. Lee, in "The Life and Letters of Robert Lewis Dabney," Pp. 497-500.
{14}	See, "Novation," in Bouvier's, supra, pages 2375-78.
{15}	Persona, literally, "the mask of the actor ... that covered his whole head." See, "Dictionary of Latin Synonymes," by Francis Lieber (Lincoln's man) translated from the German by Lewis Ramshorn, published by Little, Brown and Company, Boston, 1854. See the extended discussion of the same in "The Shorter Oxford English Dictionary," Revised and Edited by C.T. Onions, Third Edition, Volume II, Oxford at the Clarendon Press. The discussion here makes it clear that the word applies to those in law whose designation is otherwise unqualified. That is, it can apply to a man, woman, or child, but not to one who is designated as a Good and Lawful Christian

	Man or Woman. The word is also connected to human being, person, natural person, and natural man.
{16}	"Mercury." Shorter Oxford English Dictionary, supra, Volume I, pg. 1235. "Mercury ... merchandise. A Roman deity, early identified with the Greek Hermes, the god of eloquence, skill, trading and thieving, the presider over roads, the conductor of departed souls to the lower World, and the messenger of the gods ..."
{17}	This was done by the simple expedient of changing one word in "The Trading with the Enemy Act," of 1917. Congress rubber-stamped the 'Executive Order' into law without debate.
{18}	See, Report No.93-549, 93rd Congress, 1st session, "Emergency Statutes: Provisions of Federal Law now in Effect Delegating to the Executive Extraordinary Authority In Time of National Emergency," page 1, November 19, 1973, pursuant to Senate Resolution 9, Published by the U.S. Government Printing Office, Washington, D.C.
{19}	Exodus, 20:7.
{20}	Exodus, 23:8.
{21}	First Corinthians, 6:1.
{22}	Proverbs, 11:15-16.
{23}	Matthew, 6:34.
{24}	Reserved
{25}	Reserved
{26}	Black's Dictionary of Law, 3rd Edition, West Publishing Co., St. Paul Minnesota, pages 1558-60.
{27}	Bouvier's, supra, page 1947.
{28}	Black's Dictionary of Law, 3rd Edition, by Henry Campbell Black, 1914 page 1420-22.
{29}	See Romans 8:29-30; Ephesians 1:4-5; matthew 20:16, 23; & 24:22; Jude 4; and related passages.
{30}	Black's, 3rd, supra, page 1227-8.
{31}	Bykofsky vs. Borough of Middletown, D.C. Pa 401 F. Supp. 1242, 1250.
{32}	Jones vs. Walker, 2 Paine 688, Federal Case No. 7,507.
{33}	Black's Law Dictionary, by Henry Campbell Black, 6th Edition, 1990, page 1031.
{34}	Alabama Public Service Commission vs. Crow, 247 Ala. 120, and So. 2nd, 721 at 724.
{35}	1 Blackstones' Commentaries, 413.
{36}	In re Egan, 5 Blatchford, 321, Federal Case No. 4,303.
{37}	Manual for Courts Martial, United States, 1984, "Rules for Courts Martial," 201(f)(1)(B)(i)(b), page II-11,
{38}	Report No. 93-549, supra.
{39}	Brown vs. Bernstein, D.C. pa., 49 F. Supp. 728, 732.
{40}	"Bank Holiday Act of 1933," Executive Order No. 2039.
{41}	50 U.S.C.A. App., Sec. 1 et. seq. was originally passed during World War I (1917).
{42}	'Exec. Order No. 2040,' March 9, 1933 was ratified by Congress the same day as 12 U.S.C.A. Sec. 95(b).

{43}	e.g., 'The National Emergencies Act' of 1976, P.L. 94-412 [H.R. 3884], September 14, 1976, 90 Stat. 1255.
{44}	See U.S. Titles and Codes, Vol, I, Table of Contents, Title II, note the asterisk and its meaning at the bottom of the page.
{45}	Baker vs. City of Milwaukee, 271 Or. 500; 552 P3rd 772, at 775.
{46}	Black's, 6th, supra, page 1319.
{47}	Black's, 6th, supra, page 1374.
(48}	Hartford F. Ins. Co., vs. Chicago, etc., R. Co., 175 U.S. 91; Brown vs. Brown, 88 Conn. 42; Hiroshima vs. Bank of Italy, 78 Cal. App. 362; People vs. Herrin, 284 Ill. 368; Smith vs. DuBose, 78 Ga. 413; Smith vs. Railroad Co., 115 Cal. 584.
{49}	36 CH. Div. 359; Chaffee vs. Farmers' Co-op Elevator Co., 39 N.D. 585.
{50}	"Military Government & Martial Law," by William E. Birkhimer, 1914, page 390, Section 385. Published by Franklin Hundson Publishing Co., Kansas City Missouri.
{51}	Executive Order No. 10834, August 21, 1959.
{52}	The Federal Register at 24 F.R. 6865.
{53}	4 U.S.C., Chap. 1, Secs. 1, 2, & 3.
{54}	34 Ops. Atty Gen., 483
{55}	34 Ops. Atty Gen., 483, at 485.
{56}	The Adjutant General of the Army, March 28, 1924, (1925 Edition), and in 34 Ops, supra.
{57}	United States Army Regulations, AR 840-10, October 1, 1979.
{58}	Manual for Courts Martial, U.S., 1994 Ed., at Art. 99, (c)(1)(b), pg. IV-34, PIN 030567-0000, U.S. Government Printing Office, Wash. D.C.
{59}	Manual for Courts Martial, supra, page IV-34, Art. 99-23c(1)(b).
{60}	Blacks,' 3rd, supra, page 329.
{61}	Manual for Courts Martial, supra, page IV-4, Article 104 (c)(6)(c)
{62}	Manual for Courts Martial, supra, page IV-41, 104 (c)(6)(c).
{63}	Black's, 6th, supra, page 1473.
{64}	The Lawful Constitutional entity is 'The united States of America,' and the 'u' in 'united' is lower case.
{65}	Hooven and Allison Co., vs. Evatt, U.S. Ohio, 324 U.S. 652.
{66}	See, Title 26, "Words and Phrases," for definition of 'United States' used in above.
{67}	"Mellinkoff's Dictionary of American Legal Usage," by David Mellinkoff, 1992, page 479, West Publishing Company, St. Paul, Minnesota.
{68}	Mellinkoff's, supra, page 479.
{69}	See, 'Church of Scientology vs. U.S. Dept. of Justice,' where person is defined as "a variety of entities, not human beings."
{70}	Mellinkoff's, supra, page 479.
{71}	Mellinkoff's, supra, page 479.
{72}	Mellinkoff's, supra, page 479.
{73}	Hoffman vs. Apoltolic Works, D.C. Mun. App., 43 A.2nd. 848.

{74}	People vs. Budzan, 205 N.W. 259 at 260, 295 Michigan 547.
{75}	"Law Dictionary with Pronounciations," by James A. Ballentine, page 599, published by 'The Lawyers Co-operative Publishing Company,' Rochester, New York, 1948.
{76}	Ballentine, supra, page 830.
{77}	2 Blackstone's Commentaries, 246.
{78}	A New English Dictionary on Historical Principles, Edited by James A. H. Murray (1901), Volume V, Oxford: The Press at Clarendon. See also, "secular," "natural," "unregenerate."
{79}	First Corinthians 2:14-16.
{80}	The words designating entities in this paragraph are for specific entities under International and Municipal Law. The County of Los Angeles is thus a different entity than Los Angeles county which exists in law.
{81}	Black's, 6th, supra, page 257.
{82}	Jacob's Dictionary of Law, 1792.
{83}	See, "alien," in Wharton's Pennsylvania Digest, Section 20.94. Cited in Oxford English Dictionary, 2nd Edition, 1989, published by Clarendon Press.
{84}	"A New Abridgement of the Law," by Matthew Bacon, 1846, Volume VII, published by Thomas Davis, Philadelphia, Pennsylvania.
{85}	Rust vs. Kennedy, 4 M. & W., 586, cited in Queen vs. Plenty, infra.
{86}	Queens' Bench, 3 E. & E. 634; Reg. vs. Bradley.
{87}	The Queen vs. Plenty, Lawyers Review, Volume IV, page 346, 1869.
{88}	4 Bacon's Abridgement, page 7, 1832.
{89}	Fisher vs. Magnay, 6 Scott N.R., 588; Emerson vs. Brown, 8 Scott N.R., 219 at 222.
{90}	See the instructions to any IRS form, especially the 1040.
{91}	Austins' Jurisprudence, page 324.
{92}	Thorington vs. Smith, 8 Wall. 8,9; 19 lawyer's Edition, 361.
{93}	Thomas vs. Taylor, 42 Mississippi 651, at 703.
{94}	Austin's Jurisprudence, page 324.
{95}	Black's,3rd, supra, under heading "Constitutional Law" page 309. In re Duncan, 139 U.S. 449; Minor vs. Happersett, 21 Wall. 175.
{96}	11 Sergeant k Rawle, 394; 5 Binn. R. 555.
{97}	8 Johnsons' Reports, page 291.
{98}	2 Swift's System, page 321.
{99}	Dane's Abridgement of the Law, Volume 7, Chapter 219, a. 2, 19.
{100}	Vide Cooper on The Law of Libel, pages 59 and 144 et. seq.
{101}	Hamilton, N.P, 204.
{102}	8 B.k C. 25; 1 Salk. 256; 11 Coke 25b.; 2 Esp. 5, 28.
{103}	2 Mass. 500; 3 Mass. 166; 8 Mass. 96; 9 Mass. 277; Id. 254; 10 Mass. 323; 15 Mass. 296; 16 Mass. 488; 6 Mass. 401; 10 Pick. 172;4 Day, C. 361; 1 Root. 3, 440; Kirby, 45; 2 Caines Cases 336; 6 John. 85; 7 John. 112; 8 John. 464; 9 John. 147; 10 John. 217; 4 Desaus. 578; 5 Sergeant & Rawle 510; 11 Sergeant & Rawle 35;

	metc. & Perk. Dig. h.t; 4 Wahrton 531.
{104}	Bacon's Abridgement of the Law, h.t. and, 9 Cranch 43.
{105}	E.G. the current Codes of the State of California as Amended by Acts through 1994, Bancroft & Whitney.
{106}	Bacon, vs. Fed. Res. Bank of San Fran. (D.C.) 289 F. 513 at 515; Whitesides vs. Dreg, 56 Ind. App. 679; Brumleve vs. Cronan, 176 Kentucky 818; Louisville & N.R. Co., vs. Ind. Bd. of Illinois, 282 III. 139.
{107}	Handbook of Common Law Pleading, by Henry Ballantine, Ed. By Benjamin J. Shipman, 3rd Edition, 1923, West Publishing Co., St. Paul, Minnesota.
{108}	Hayes vs. Shattuck, 21 Cal. 51; Stockdale vs. Buckingham, 11 Iowa 45; Knight vs. Low, 15 Ind. 374; Scott vs. Hull, 14 Ind. 136; York vs. Texas, 137 U.S. 15.
{109}	Black's, 6th, supra, page 467, under heading 'discussion.'
{110}	Corpus Juris Secundum, Vol. 7, Secs. 4 *k 7*, 'attorney client privilege," Black's, 3rd, supra under headings 'ward of the court' and 'non compos mentis.'
{111}	Greer vs. Young, 120 Ill. 184; Willard vs. Zehr, 215 Ill. 148.
{112}	Pratt vs. Harris, 295 Ill. 504; Decentenial Digest 'Pleading' Section 104(1); Mineral Point R. Co., vs. Keep, 22 Ill. 9; Davidson vs. Watts, 11 Va. 394; 'The Plea to the Jurisdiction,' by W. H. Moreland, 23 Va. Law, Reg. N.S., 249.
{113}	Nispel vs. Western Union Railroad Co., 60 Ill. 311.
{114}	Lincoln served notice that the country was under martial law by issuing the very first Executive Order No. 1 on April 21, 1861, which called up 75,000 troops, ostensibly to guard Washington, D. C..
{115}	See Title 28, U.S. Code, Section 453.
{116}	Birkhimer, supra, page 363, Section 348.
{117}	See, "Documents Illustrative of the Formation of the Union," from U.S. Government Printing Office.
{118}	Black's, 3rd, supra, page 963.
{119}	Black's, 3rd, supra, page 1391, under heading 'power.'
{120}	"A New Law Dictionary," by Henry James Holthouse, published by Lea and Blanchard. (1847).
{121}	Rights, Remedies, and Practice, At Law, in Equity, and under the Codes: A Treatise on American Law in Civil Causes, by John D. Lawson, in seven volumes, Vol. VI, Chap. 129, Sec. 2692, pg. 4391. Published by Bancroft-Whitney Company, San Francisco, 1890.
{122}	The County Recorders Office was established to replace the functions of the old Land Offices by Federal Statutes in 1853.
{123}	Hunter, "Roman Law," page 429. Guy Carleton Lee, "Historical Jurisprudence," 1922, pages 311-313.
{124}	Psalm 24:l.
{125}	Romans 8:16-17; Galatians 3:29; Titus 3:7; and many others.
{126}	Frank Henius, "A Dictionary of Foreign Trade" (1946), p. 116.

{127}	Riddle, English-Latin Lexicon (1849), p. 114.
{128}	People v. Raymond (1868), 34 C. 492. [Insertion added.]
{129}	Frank Henius, "A Dictionary of Foreign Trade" (1946), p. 120.
{130}	Frascona, Business Law (1954), pp. 291-292.
{131}	Riddle, English-Latin Lexicon (1849), pg. 115.
{132}	Riddle, English-Latin Lexicon (1849), p. 62.
{133}	Schechter Poultry Corp. vs. U.S. (1935), 295 U.S. 495, 55 S.Ct. 837, 79 L.Ed. 1570.
{134}	Riddle, English-Latin Lexicon (1&49), p. 297.
{135}	Foley v. Leisy Brewing Co., 89 N.W. 230, 231, 116 Iowa 176. [Emphasis added.]
{136}	Major-Blakeney Co. v. Jenkins (1953), 121 C.A.2d 325, 263 P.2d 655, hear den.; Townsend Pierson, Inc. v. Holly-Coleman Co. (1960), 178 C.A.2d 373, 2 Cal. Rptr. 812.
{137}	Keener, "Quasi-Contracts," pp. 4-5.
{138}	Anson, Contracts (8th Ed.), p. 362.
{139}	Exodus 20:2-3.
{140}	Keener, "Quasi-Contracts," p. 3.
{141}	Young's Civil Government, published in 1877 by A. S. Barnes & Co.
{142}	Field (A. B.) & Co. v. Haven (1918), 36 C.A. 669, 173 P. 108.
{143}	Dairy Food Store, Inc, v. Alpert (1931), 116 C.A. 670, 3 P.2d 61; Coulter v. Sausalito Bay Water Co. (1932), 122 C.A. 480, 10 P.2d 780.
{144}	Rheem v. Snodgrass, et al. (1858), 2 Grant's Cases 379.
{145}	Bouvier' Law Dictionary (1914), p. 3350.
{146}	Bouvier's Law Dictionary (1859), Vol. II, p. 610.
{147}	Deut. 5:19-21.
{148}	Chambers Murray, Latin-English Dictionary (1933), p. 431.
{149}	Chambers Murray, Latin-English Dictionary (1933), p. 431.
{150}	Chambers Murray, Latin-English Dictionary (1933), pp. 431-432.
{151}	Chambers Murray, Latin-English Dictionary (1933), p. 432.
{152}	Frank Henius, "A Dictionary of Foreign Trade" (1946), p. 428. [Insertions added.]
{153}	Frank Henius, "A Dictionary of Foreign Trade" (1946), p. 428. [Insertion added.]
{154}	Frank Henius, "A Dictionary of Foreign Trade" (1946), p. 428.
{155}	Vance, Insurance (1954), p. 93. [Emphasis and insertion added.]
{156}	Carson River Lumbering Co. v. Patterson (1867), 33 C. 334.
{157}	Lord v. Goodall, Nelson k Perkins S. S. Co. (1881), 102 U.S. 541, 26 L.Ed. 224.
{158}	James 4:13-14.
{159}	Major General Smedley Butler, 1933 Armistice Day speech in Philadelphia, cited in R. E. McMaster, 'Wealth for All Religion, Politics and War' (1982) pp. 210-211. [Insertions added.]
{160}	James 4:1-3.
{161}	Bouvier's Law Dictionary (1859), vol. I, pp. 551-552.
{162}	McCulloch, Dict. of Commerce; Sewell, "Banking." Bouvier's Law Dictionary (1914), pp. 1323-1324. [Emphasis and insertion added.] [In other words, unless and until the

	loan is repaid, the property or works created by use of the loan are property of the lender.]
{163}	Judge, Henry Clay Dean, 1868.
{164}	Vicksburg Daily Whig, January 18, 1860.
{165}	The Honorable John H. Reagan of Texas, January 15, 1861, Congressional Globe, 36th Congress, 2nd session, p. 391.
{166}	John Adams, Works IV, p. 43. [insertion added.]
{167}	Judge, Henry Clay Dean, 1868
{168}	Connecticut, one of the original 13 colonies that supported the Constitution began to adjourn *sine die* as early as 1853.
{169}	The election of Senators by the people, did not become a matter of Constitutional law until the 17th Amendment.
{170}	The publication of Darwin's book on "The Origin of Species or, The Survival of Favoured Races," was a popular justification for lawlessness in these days since its publication in 1857.
{171}	Second Chronicles 7:14.
{172}	Second Chronicles 7:19-20.