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# The WISCONSIN
# JURAL SOCIETY

## *Asks for your attendance*

**June 14th, 15th, 16th**

(6PM to 10PM) (9AM to 9PM) (9AM to 2PM)

## at UW - Stevens Point

Pre-Registration is Required

Rooms & food available on site

## *Seminar by John Quade & Randy Lee*

*of the California Jural Society*

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*The Jural Society is the ultimate authority of the county and wields the same power as the county board of Supervisors, and Oh! much, much more. The Jural Society is a Christian Organization based on biblical principals, common law and the constitution, both state and national.*

**To switch from a de facto government (unlawful) to a de jure government (lawfully formed - constitutional government of, by and for the people) contact:**

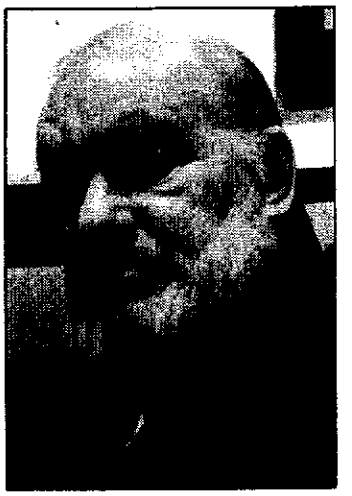
Don Treloar
c/o N6549 CTH K
Ogdensburg WISC PZ 54962

414-244-7434

BY GERALD A. CARROLL



Recognize the face at right from such movies as "Roots," "The Sting" and "Pappillon?" It is the face of charactor actor John Quade, who traded in his 150-film Hollywood career to be an activist in the American Jural Society. The caricature at left belongs to Abraham Lincoln, whom Quade roundly denounces as being a tyrant.



# Jural Society's Abatement Process Portrays Victims as Spiritual Beings

So a government agency has mailed you a scary letter, saying it will do bad things to you if you do not respond promptly to certain demands. It could be about a parking ticket, your taxes or some other equally unpleasant circumstance.

The immediate reaction for you would probably be to respond just as the letter stipulates, as soon as possible, so that the doom and gloom described therein will not befall you or your family.

But that is the worst thing you can do, according to the American Jural Society. Instead of responding, the American Jural Society would "abate!"

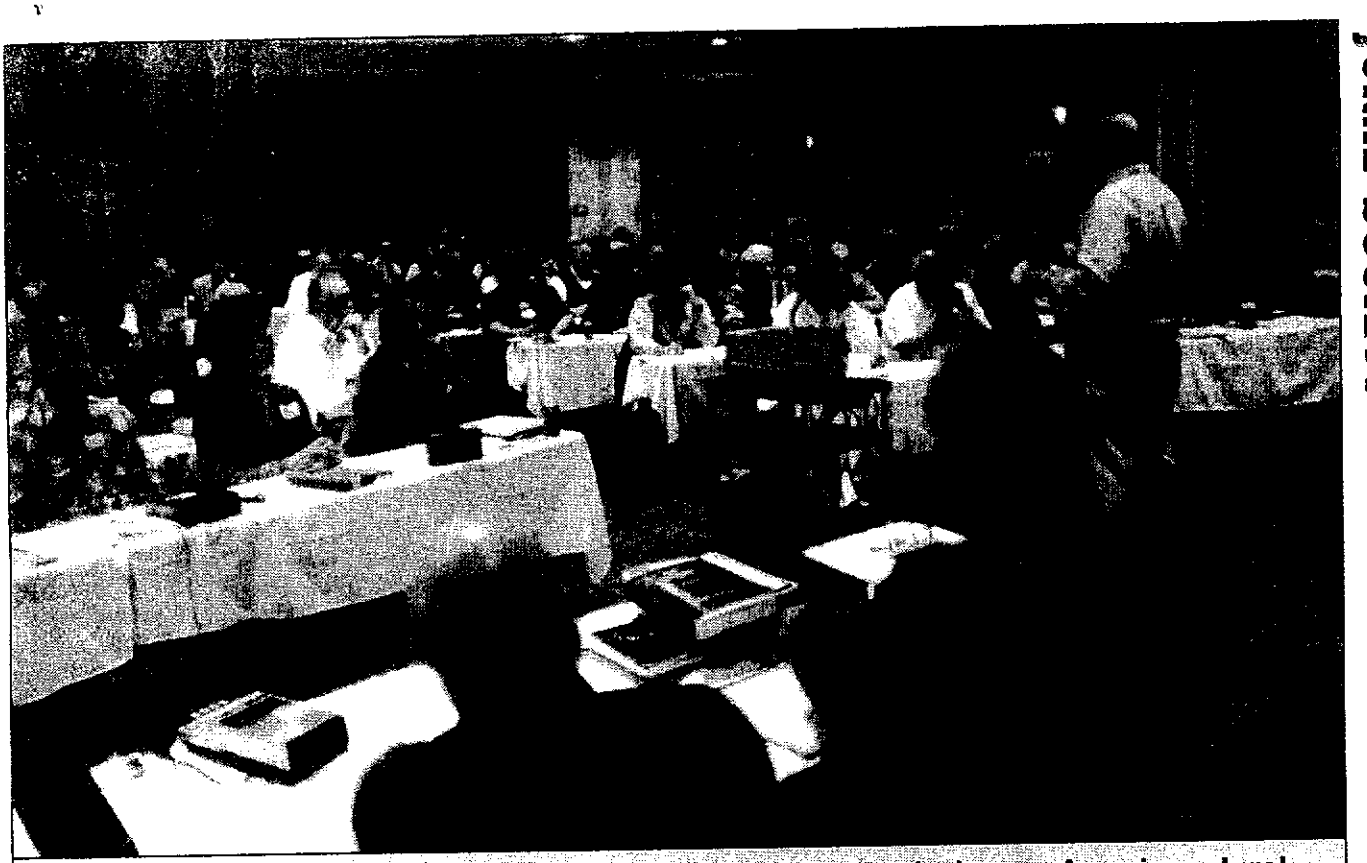
"Do not respond with another letter," warns "The Non-Statutory Abatement Handbook," published by the society. "Respond with lawful process, i.e., an abatement. Their letter may have no force and effect in law, but the abatement will. Usually, they just go away and you will hear no more...Responding with the traditional letter enables the government to 'join' the targeted person in litigation and set jurisdiction," something an abatement avoids.

A simple key is to never "argue the merit or lack of merit in plaintiff's complaint, nor challenge jurisdiction, in an abatement," the handbook says.

A simple key is to never "argue the merit or lack of merit in plaintiff's complaint, nor challenge jurisdiction, in an abatement," the handbook says.

"A carefully worded abatement, properly served and not filed [through the current court system], will stop most of these proceedings," said John Quade, a Jural Society spokesman who tours the country with Randy Lee, co-author of the society's abatement handbook. That is, touring whenever they are not meticulously researching these common-law truths from their Southern California base of operations.

Quade seems an odd fixture in this national movement, which started with one Jural Society in California and has now grown to "300 such societies in 22 states." After all, his is a familiar face in Hollywood, having appeared in more than 150 films and television shows over a 28-year acting career. His most famous role was the slavemaster in "Roots," the classic television miniseries, but he also has appeared in such films as "The Sting," with Paul Newman and Robert Redford, and "Pappillon," starring Dustin Hoffman and Steve McQueen. Quade also had multiple roles in yesteryear's popular television series, "Bonanza."



**John Quade, standing right, speaks to a packed house during an American Jural Sociery seminar Feb. 24 in Rochester, Minn. Media Bypass was granted exclusive print media access to the conference.**

Quade was born John William Saunders III in 1938, but now goes by his "Christian name" of John Williams, Saunders the Third. He does so because the names "John Quade" and "John William Saunders III" are, in his view, false names assigned to him by government documents. The rejection of names formalized on government documents has a practical application as well, essentially rejecting the governmental authority under which they were issued.

Quade and Lee both say that our present-day court system is little more than a military tribunal set to the model of ancient Rome. Modern courts, such as traffic and tax courts, are arranged according to this "martial law." The modern law does not recognize people as the whole, spiritual beings they really are. Instead, they said, modern law recognizes people as mere objects, "masks" of themselves, and when the modern courts prosecute individuals, they are in reality prosecuting the "mask," not the true human soul within.

Abatements, then, seek to portray the targets of this harsh martial law as spiritual, Christian beings, whose sole authority is God Almighty under Jesus Christ the Savior — and not under the authority of any man-made false "law." Hence, the routine punishments handed down by our modern-day, martial-law courts cannot be applied to people who lay claim to this status, according to the Jural Society.

> "Lincoln was one of the most obsessed tyrants who ever lived. When the Southern states walked out of Congress in 1860, the quorum to conduct business under the Constitution was lost. It was reconvened by executive order and sat unlawfully under the direct military authority of A. Lincoln, commander-in-chief."

How, then, does one "abate" a court proceeding? It is a simple but tricky process, one that Quade and Lee teach during three-day seminars replete with documents and sample abatements. Currently, the seminars are the only means to correctly instruct people with regard to using the abatement process, and forming Jural Societies to assist in implementing such abatements.

One such seminar took place in Rochester, Minn., the weekend of Feb. 23-25. *Media Bypass* was given rare access to the proceedings. The Omaha, Neb., Fox-television affiliate was granted limited access as well.

"We are booked through May right now," said Quade. "Then we'll take a deep breath and continue on with the process of forming Jural Societies." Media access is severely limited, because Quade and Lee do not want bits and pieces of the abatement process to leak out publicly, without proper coaching as to its use.

"People tend to add language to the abatement and render it useless," Quade said, shaking his head. "They also want to file these abatements instead of serve them directly. An abatement is never filed, only served directly to the person or group that initiates the first threatening letter" to the targeted person or family.

Quade and Lee disagree with "patriot groups" that attempt to reassert constitutional guidelines to remedy the current martial-law legal system.

"The Constitution is a statutory document, like anything else," Lee said. "We use God's law, not man's law."

Quade bitterly accuses Civil War-era President Abraham Lincoln of starting the process that has led to the current martial law.

"Lincoln was one of the most obsessed tyrants who ever lived," Quade said. "When the Southern states walked out of Congress in 1860, the quorum to conduct business under the Constitution was lost. The only votes Congress could lawfully take were those to set the time to reconvene, and vote to adjourn.

"Congress abandoned the House and Senate without setting a date to reconvene and ceased to exist as a deliberative body," he said. "It was reconvened by executive order and sat unlawfully under the direct military authority of A. Lincoln, commander-in-chief. To this very day, Congress still exists by the military authority of the commander-in-chief and not as a lawful constitutional body."

Lincoln put Executive Order No. 1, the first ever executed by a president, into place soon after the South walked out. The order called up 75,000 militia to reinforce Washington, D.C., and the nation was well on its way toward Civil War.

"Subsequent acts by Lincoln brought martial, international, municipal law to American soil beyond the District of Columbia," concludes Quade, who has studied under such luminaries as R. J. Rushdoony, whom Quade characterizes as the "number one Christian thinker in the world today."

However, Rushdoony's harsh pro-Christian rhetoric has been portrayed by some observers as prejudiced against other religions and racist.

Still, it was Rushdoony and the Chalcedon Foundation, a well-known Christian think tank, that provided the forum in which Quade studied abatements and related common-law knowledge.

Lee has been influenced not only by the Chalcedon Foundation but also by Dr. Eugene Schroder. Schroder is best known for his 1978 tractor protest in Washington during the Carter Administration, and has since toured the nation calling for reinstatement of common-law practices to replace the existing court system.

***Editor's note:*** *For more information on the mechanics of forming Jural Societies and the design of abatements, or to subscribe to their newsletter, contact the American Jural Society at (818) 347-7080 voice, (818) 313-8814 fax.*

# For Your Information: An Actual Abatement Exceprt

The inaugural American Jural Society newsletter includes a section of particular interest to most adult Americans this time of year entitled, "IRS Losses Skyrocket."

"How about 22 minutes to get not one, but two, IRS levies removed from two different bank accounts? Or, how about stopping twenty plus IRS actions in a row without a single loss and NOT ONE court appearance, and only one piece of paperwork? Or, how about a refund of 500 plus dollars on a garnishment of wages?

"All this and more has occurred in the last few months by common law process served on the IRS, by county sheriff's deputies no less," the article said.

The "ubiquitous non-statutory abatement, a form of dilatory pleading" is the mechanism by which such feats are accomplished. The process notifies the plaintiff — in this case the IRS, who by virtue of the abatement becomes a defendant — that they have no lawful civil process, or judicial authority. It does not argue the merits of the case, and purportedly gives the IRS no lawful way to respond.

The first monthly newsletter cited "self-defense" as the reason for its inception. "Demand for information on jural societies across the land is totally out of control. The phones and fax never stop ringing," the article said.

*Media Bypass* intends to take a closer look at this phenomenon known as the American Jural Society, but in the meantime, just to pique your curiosity, the following is excerpted from an actual sample abatement. It is in the matter of "John William: Saunders the Third, suae potestate esse, defendant, against, M. Provost, INTERNAL REVENUE SERVICE":

INTRODUCTION

This is a Non-Statutory Abatement issued pursuant to common law rules applicable to such cases, against M. Provost, an acting Alien Enemy agent of a statutorily created, foreign de facto corporation, known as the INTERNAL REVENUE SERVICE. Said agent is attempting to plunder, in the Nature of a Praemunir, which is outlawed by the General custom in this state and, thus, is in violation of The Laws of Nations, The Law of War, The 1849 California Constitution, and the lex non scripta, which is the jus publicum in this state.

Part one of this matter shall be known as Non-Statutory Abatement and contains the following documents titled: I. Non-Statutory Abatement; and, II. Verification by Asservation...

And whereas, King Charles the First, in the Petition of the Right of June 7, 1628, acknowledged that martial law is repugnant to common law, and is revoked and annulled forever in accordance with the law of the land in The Great Charter of the Liberties of England and America...

—Rich Azar

*"A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."* - The Second Amendment

THE MILITIAMAN'S NEWSLETTER

# TAKING AIM

VOLUME 1, ISSUE NO. 6, 1994

MOM, C/O P.O. BOX 1486, NOXON, MT. 59853
(406) 847-2246 VOICE/FAX

## "WE CHOOSE TO OPT OUT"

The **Militia of Montana** (MOM) is joining forces with the **Montana Shooting Sports Association** (MSSA), Montana's state-wide, political-action organization for all Montana gun owners for a constitutional amendment to repeal Article I of the Montana Constitution, the Compact with the United States. **MSSA** has invited participation by all Montana organizations. Therefore, **MOM**, being a member of **MSSA**, has decided to join forces with **MSSA** in taking the necessary steps to accomplish this task.

In a press release issued by **MSSA** to news media nationwide, president Gary Marbut announced: "When Montana agreed to become a state, there was a basic presumption that the people of Montana would always be protected from the federal government by the Bill of Rights. Congress has abrogated that presumption, and has thereby nullified Montana's contract with the other states. Therefore, we have no further moral or legal obligation to maintain the Compact with the United States."

Marbut continued: "The contentions which existed between the thirteen original colonies and the English Crown, and which gave rise to the signing of the Declaration of Independence, now exist between Montana and the government of the United States. Congress has been warned by other states about its steady encroachment upon states' sovereignty, to no avail. Now, Montana will simply and peaceably opt out from under federal authority. We will be joined in this by many people, and other states, who love freedom, and who will no longer tolerate the spiralling federal assumption of authority over every person and every thing."

**MOM** is fully prepared to join **MSSA** in taking this measure to the 1995 Legislature for placement on the ballot as a referendum. If the Legislature fails to act, **MOM** is also fully prepared to assist in placing a referendum before the people via the initiative process at the first available opportunity, which will begin in July of 1995.

"Montanans are fed up with the federal government dictating to Montana and the people of Montana," Marbut added, "and we are through with Congress's increasing encroachment on the Bill of Rights. We have a thirst for freedom in Montana, and we simply will not subsist under the boot heel of federal tyranny. There may be some debate about what the Second Amendment means to the U.S. Supreme Court or the people of Peoria, but there is no question about what the Second Amendment means to the people of Montana. 'The great purpose', as Patrick Henry said, 'is that every man be armed.' Congress is willing to trade our rights for temporary political gain, but we will simply not submit to the accelerating betrayal

***WE HAVE DRAWN THE LINE!***

*We are sick of government efforts to restrict our right to keep and bear arms! We will no longer beg you to uphold the Constitution. We will no more plead that you respect our rights.*

*We gun owners will accept no more gun control! The debate is over. We draw the line!*

*If you deny our inalienable rights and outlaw any weapons, ammunition or firearms accessories, we will not obey your "law"!*

*If you ever come to get our guns, we will oppose force with force!*

*70 million gun owners will not voluntarily turn in their weapons. Perhaps 35 million (50%) will comply under threat or force but 35 million (50%) will not comply. They will keep and conceal their weapons for future use.* **(Ed. Note: We do not condone concealing weapons for future use. Only those which you cannot use should be placed in a secure location. )**

*More than 7 million (10%) have already prepared for civil war. Millions across this nation now believe that an armed struggle for freedom may be inevitable. 700,000 (1%) (including many veterans, law enforcement personnel, and well trained civilians) will begin to fight against the elitist one-worlders who now control the government, the media, and the nation's finances; and who are sacrificing U.S. sovereignty for a U.N. world government. Patriots know who the traitors are, and will never submit to the emerging police state here in America.*

*We speak not from the extreme fringe, but rather as responsible, working, productive, God-fearing citizens who love their Country and its Constitution. If rebellion, revolution or civil war comes to America, it will have been caused by a government out of control, a government which has lost the understanding that it is the servant of the people and the guarantor of their liberties, not their master and oppressor. You, the Congress, authorize, fund and control the government. You will be responsible for the tragedy.*

*No compromises or half-way measures will be tolerated. All gun control legislation, including those that are included in the present "Crime Bill," must be rejected -- now and in the future.*

*We have spoken for the last time!*

*Sovereign Citizens of*
*the United States*

How about another?

"*Mom,*

*I really have a hard time believing that these fools, think that Americans are not going to fight them and doing so going to kick their collective -----, we have won every single war we were allowed to win, hands down, as we fight for the oppressed, freedom for others. What in God's name makes them think they can come to our homeland, take our freedom and get away with it?????? If they think we have fought hard before, how many times will that be multiplied by us having to fight for our own land and freedom*?"

From the above two letters that we have received you are now able to see what the underlying theme and general thought is from all who correspond with us. Every letter, every telephone conversation, every fax, in one way or another relays this same message to us: **ENOUGH IS ENOUGH**.

The first letter mentioned making those in government responsible for the "tragedy" that may take place.

How can the American people make them responsible? First by becoming responsible themselves. Americans formed the constitution; the constitution granted this government powers; Americans put people in charge of running this government; so therefore, the responsibility lies with the American people to stop this government. This is the only way. This is the way of the militia.

Many leaders in the patriot movement have written numerous articles on the constitutionality of the militia. That the Second Amendment guarantees this. This is true. But, I ask, who are you going to claim this guarantee in front of? Your local Judge? Your local

BATF agent? How about the Supreme Court of the United States?

We all know that the executive and legislative branches of our government are beyond hope. However, many still believe there is hope left in the judicial branch where they can take on the system on an individual basis.

It is time to face the facts: Our judicial system has not only been taken over in the same subtle manner as our legislative and executive branches of government but has been a key player in aiding these two branches in being taken over. (See ***Taking Aim***, issue no. 5, page 17, Part 7, of "**The Road To Slavery - Putting The Pieces Together**")

The Constitutions of the United States and the several States have been subverted and have not been in use for well over a century (see 1973 Senate Report on the termination of Emergency Powers, forward, page 1). So what can we do?

The militia must operate as if there were no Second Amendment. Even if there wasn't a guarantee for the people to keep and bear arms in our constitutions we would still have the right to keep and bear arms under the Natural Law.

What most have forgotten is that the people are not under the constitution; the government is. This is the reason for the jury. The jury was to be the last peaceful check on an overzealous and oppressive government. The following quote is reprinted from the Citizen's Rule Book (available from MOM for $1.00 each) which has an article that appeared in the *Minneapolis Star and Tribune*, November 30, 1984, entitled **"What judges don't tell the juries"**:

*At the time of the adoption of the Constitution, the jury's role as defense against political oppression was unquestioned in American jurisprudence. This nation survived until the 1850's, when prosecutions under the Fugitive Slave Act were largely unsuccessful because juries refused to convict.*

*Then judges began to erode the institution of free juries, leading to the absurd compromise that is the current state of the law. While our courts uniformly state juries have the power to return a verdict of not guilty whatever the facts, they routinely tell the jurors the opposite.*

*Further, the courts will not allow the defendants or their counsel to inform the jurors of their true power. A lawyer who made...Hamilton's argument would face professional discipline and charges of contempt of court. By what logic should juries have the power to acquit a defendant but no right to know about that power? The court decisions that have suppressed the notion of jury nullification cannot resolve this paradox.*

*More than logic has suffered. As originally conceived, juries were to be a kind of safety valve, a way to soften the bureaucratic rigidity of the judicial system by introducing the common sense of the community. If they are to function effectively as the "conscience of the community," jurors must be told that they have the power and the right to say "No" to a prosecution in order to achieve a greater good. To cut jurors off from this information is to undermine one of our most important institutions.*

*Perhaps the community should educate itself. Then citizens called for jury duty could teach the judges a needed lesson in civics.*

That is all fine and good. But remember this article appeared in a major newspaper, which has millions in circulation, back in 1984 - **TEN YEARS AGO!** It hasn't made one bit of difference, has it?

If this is not enough, how about Thomas Jefferson in 1821 stating:

*...The Federal Judiciary; an irresponsible body (for impeachment is scarcely a scarecrow), working like gravity by night and by day, gaining a little to-day and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and government of all be consolidated into one.*

*...when all government...in little as in great things, shall be drawn to Washington as the centre of power, it will render powerless*

*the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.*

Cases are popping up all over America, where jurors are threatened with *contempt of court* if they do not follow the rules as set by the judge. In other words, they are threatening jurors with jail time if they do not vote the way the court wants them to. Why?

As we have stated above the government has declared the Constitution dead.

Once again, under the Natural Law, the people created the Constitution, the Constitution created the government and the government created corporations. The corporations now control the government and the government now acts outside of the Constitution, so therefore, the people must enforce the Natural Law in order to put the government back inside the chains of the Constitution.

This is **RESPONSIBILITY** - **THIS IS THE WAY OF THE MILITIA**!!

We must become what our forefathers were: **FREEDOM FIGHTERS**! We must become what the Afghanistan militia units are: **FREEDOM FIGHTERS**. Neither the Afghans, nor our forefathers, had any legal, lawful or constitutional right to wage a war for our independence. But they did it anyway. Where was their authority? In the **NATURAL LAW.**

The Natural Law is our foundation. This is where our country sprang up from. This is where our authority lies. This is where our duty of reassuming our responsibility in stopping this government-gone-mad lies--within the **NATURAL LAW.**

The Natural Law was the foundation from which our forefathers formed this nation, therefore, the Natural Law is the foundation from which we must restore our nation.

The government has broken the law over and over again. We can see this by the level of crime in the private sector. Government sets the example for the citizens of the country. Supreme Court Justice Brandeis in *Olmstead v. United States*, 227 U.S. 485 (1928) stated:

*Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands of the citizens. In a government of laws, existence of the government will be imperiled if it fails to observe the laws scrupulously. Our government is the potent, the omnipresent teacher. For good or ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for the law; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means...would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.* (emphasis added)

Why would Justice Brandeis state that the existence of the government will be imperiled and that when the courts accept the philosophy that the end justifies the means (we have seen this philosophy at work in Waco, Texas and Naples, Idaho) in the administration of the criminal law, that this would bring a terrible retribution?

He says this, because he knows that it would not take a very long time for the people to rise up and say, **ENOUGH IS ENOUGH**.

This is the basic job of the militia. To enforce the Natural Law upon those who have broken the law, when the normal course of judicial proceedings cannot do so.

This writer believes this to be one of the underlying reasons why so many politicians dropped out of politics and why there was a record amount of "freshman" elected to congress and state legislatures. The old-timers knew that the **DAY OF RECKONING IS AT HAND**. They decided they were not going to be in office when the people realize their responsibility under the Natural Law to stop the law-breaking government in its place.

Do you remember the stories about the old West when the gangs

would ride into a community, get drunk, shoot up some buildings, etc.? The reason they left a community, in the majority of the cases, was when the local townspeople, the hard working, law abiding citizens of the community said **ENOUGH IS ENOUGH**, grabbed their weapons to put a stop to the law breaking of the gangs. Many members of the gangs realized that when this happened it was time to leave town.

History repeats itself. This is why militia organizations are now formed in all 50 states. This is why hundreds of thousands (if not millions) of hard working, law abiding Americans are joining the militia movement; We've had **ENOUGH**.

Government has succeeded in its attempt to alienate ourselves from each other. They have succeeded in making us hate ourselves and to foster the defeatist attitude of Every Many for Himself. This was meant to divert our attention from Them and their thinly-veiled plans for our enslavement. The rise of the militia signals the breakdown of this strategm; the militia scorns the idea of Every Man for Himself.

Who are we and why are we struggling? We're the New American Men of the Militia-- **FREEDOM FIGHTERS** and we're struggling for total control of our lives. We fight for total control of our country so that we and our loved ones may live in freedom and dignity. We shall protect our women and children. Why are we in the Militia? Because we are Americans. We are not Americans just because we live in a place called America. We are Americans because of the love we have for our country, its organic laws, and the men who died so we might live a free people.

No longer shall we be divided. The militia's motto is, and shall always be **ALL FOR ONE** and **ONE FOR ALL**!

The time for reassuming our responsibility to our country is at hand. As a good friend once told me: *We must take responsibility for our **INACTION***.

If there are still some of you out there who are "Doubting Thomases," then continue to write your congressman, petition your courts and vote at the polls until **YOU'VE** had **ENOUGH**.

As another friend told me:

*You can join the army and serve the UN, or join the Militia and serve America--**THE CHOICE IS YOURS***.

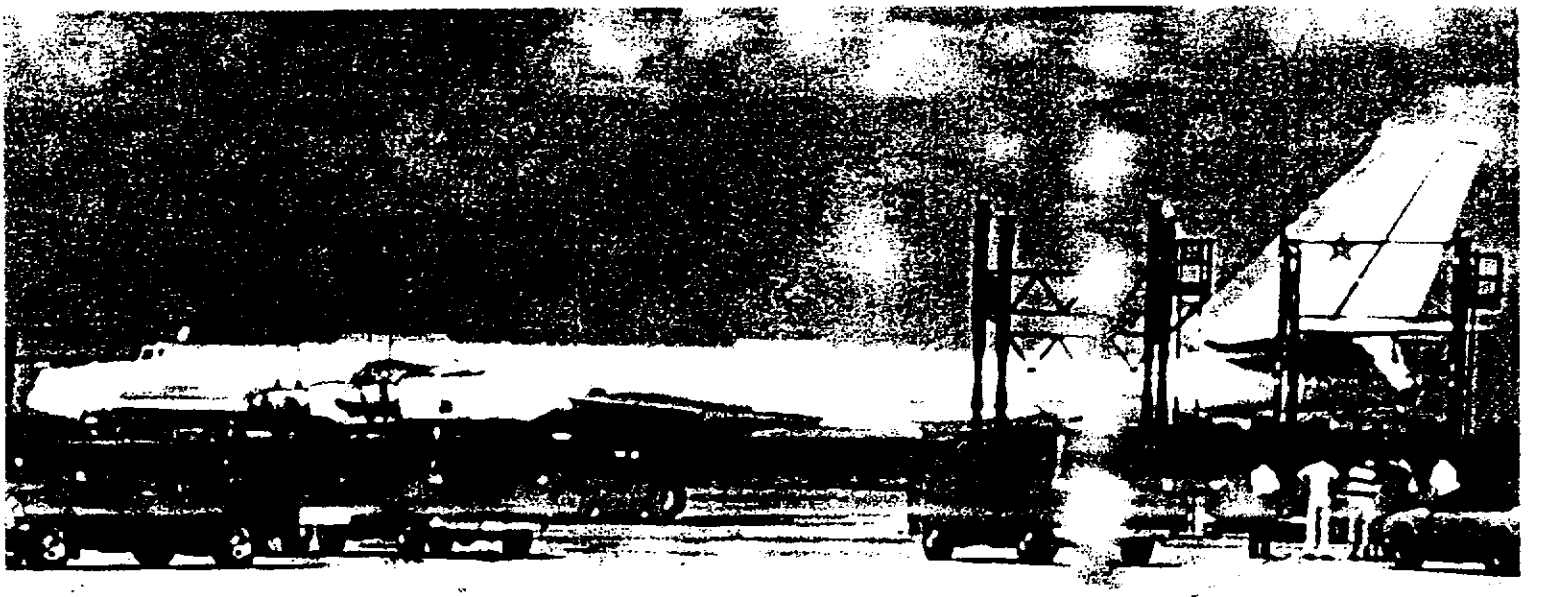
## INTEL. REPORTS

1. 08-19-94--Noxon, MT: UN helicopter flew through valley, very low. Noxon is home of MOM.

2. Forest Fires throughout the Northwest have brought in thousands of military personnel from California, Washington, Texas and Tennessee.

These Troops are reportedly to help stop the fires.

However, word from inside the military is that they do not know why they are being requested to do things they have never been trained to do. Also, troops have



By Mark D. Osterman, Attorney-at-Law

# UNDERSTANDING ALLODIUM

Perhaps the single most misunderstood concept of the patriot community at present is the idea of allodial title. The term is a misnomer, because the concept of title differs from that of land ownership. Property law is the single oldest form of law in our history, dating back to early Israel in the Old Testament.

Title is merely the right to the ownership of land. It does not grant possession and does not create possession. To the patriot community, allodial title means that property may be free from taxation or land-use regulations. Perhaps this is true, but many of the patriots are selling packets of information all over the country, supposedly describing the process necessary to prevent lands from being taxed or becoming subject to land-use issues.

Many patriots hold that such procedures will prevent foreclosure; these procedures have become the snake oil of land issues within the patriot community, unfortunately, these concepts are wrong for many reasons. Having reviewed such materials from a multitude of sources across the country, it is apparent to me that those creating the materials have little knowledge of the actual common law concerning ownership of land, and furthermore demonstrate ignorance of how the deed and title processes work.

First, one must understand the distinction between real estate and real property. In essence, real estate is the marketing of title while the real property is the actual physical land itself. When one hires a real estate agent, he or she hopes to purchase property where a marketable title is available and the land would be unencumbered (that is, free from claims by others) to such a degree that it could be used for its intended purpose.

Not long ago I was asked by an attendee at a conference what we should do to study allodial title. My reply was that they should understand two basic terms: mortmain and seisin. Mortmain is a process the courts use when a person dies and leaves no heirs. Seisin is a term which describes an association between mankind and the land.

Mortmain was executed by the courts creating a fiction that it (the court) was the Sovereign. If you get a chance to read some early cases on this issue, you will see the creation of this "fiction" and understand why the court was trying to reclaim "title." The court could easily sell the land, but had no way to convey the title to a new owner.

Likewise, one must grasp the meaning of "seisin" to understand the concept of ownership. To own land, one must be one with the land. The aboriginal idea that we do not own the land, but rather the land owns us, is a concept well-founded in the common law.

More often than not, the patriot looks to the land patent as if it were the cure-all of the land, but it is not. The patent is the place of the beginning, it is where the first rights to the land were established. If the patent is from the United States, then all title deriving itself from that patent is inherently important because of the covenants, encumbrances, reservations and easements which flowed from the patent.

Many in the patriot community believe that the patent is the end of the beginning — that it has absolute power to stop the state. This is far from the truth. The patent is the beginning and where the patriot starts. Transactions by deed after the patent provide the degree of title that you may own.

The final thing which must be fully understood before trying to gain the elusive allodial title is the concept of conveyancing title to land came not from the French (from which the word allodium comes) but from the English, where the term allodium is defined.

The idea of "allodial" lands came as a result of the translation of the Treaty of Paris. It has been said that the treaty was not translated into English and remained in French for the benefit of the King of France. The French term for the absolute ownership of land is "alodiale," and was argued frequently before the U.S. Supreme Court prior to 1860 in lawyers' briefs making reference to the "allodium" of William Penn's land patents.

What happened after 1860 is that the settlement of the grants from England appeared to have concluded and railroad disputes, along with coal and mineral issues, clogged the courts. To understand how allodium applies, a review of the old English methods of title is important.

Prior to the birth of our nation, the Kings of England rarely gave title in lands in what is termed "fee simple absolute." In those instances where fee simple absolute was granted, the Courts of England refused to restore the king to those lands since, his commission of the deed of patent prevented him from retaking the lands. There are two known instances in which this happened.

Yet generally, the King only gave his princes and lords property in "fee simple" (please not the absence of the word absolute). Property given in "fee simple absolute" contained with it certain covenants which many real estate lawyers believe to be three present covenants and three future covenants. Conveyances in fee simple gave only bare possession and no covenants. When the king gave a deed in fee simple absolute, he no longer had control over the lands, and this was not the king over them either. Thus, fee simple deeds allowed him to maintain his

**Some restrictive covenants go so far as to determine the color of the drapes inside the house and the age of the parties that may dwell there. Allodial title will not defeat these covenants; these restrictive covenants have been upheld because they are private contacts that run with the land.**

ownership as the Sovereign, to control the lands and take taxes from them.

Lands conveyed in "fee simple absolute" and by way of a warranty deed had certain warranties or covenants with them. Of course the idea of convenant implies more than a mere promise. The covenant means that one would almost be willing to give his life and his fortune in defense of the exchange of lands or the promises made.

However, at the turn of our 20th century and in the absence of copy machines and faxes, uniform acts passed through various states eliminated the need to continue to state the covenants in a warranty deed. The number of "scribes" who had to record the deeds could not stay on top of the hand-copying and asked that the covenants be deleted from the deeds. The warranty deed was designed to grant these specific covenants and thus, the term to "warrant and convey" was said by the legislatures to be enough to insure the ex-pression of the warranties.

But with the disappearance of the necessity to recite the warranties, along came the loss of the term "fee simple absolute." Title abstracters and lawyers are unfamiliar with the warranties that are supposed to be expressed. I recently supplied a seller with a warranty deed with the covenants included. The seller was a bank and refused to sign the deed, claiming it would not make such warranties.

Real estate sales are complex because of the issues of title and covenants and because of the promises or reservations which can be inserted beyond the simple covenants of a warranty deed. People buy and sell land for investment and lands have changed hands many times since the first patent was issued. Besides the covenants of warranty deeds, other covenants can be inserted covering oil, gas, water and mineral rights, as well as development of subdivision covenants.

Some subdivisions maintain fairly aggressive housing covenants which may have a substantial impact upon the color, style of architecture, size of the residence, or the number of people residing on the land. Some restrictive covenants go so far as to determine the color of the drapes inside the house and the age of the parties who may dwell there. Allodial title will not defeat these covenants; these restrictive covenants have been upheld because they are private contracts which run with the land or are embodied in the title to the land.

The best example that I can give to those trying to understand the concept of allodial title is to sell someone a 40-foot strip of sidewalk beside the road. The first question to ask is can I prevent others from making use of the sidewalk? The answer is ultimately no. The reason is that its use and purpose are established not only in the physical sense but also by means of some deed which has dedicated its use to public use.

Thus, the next question arises: Can the 40-foot section of sidewalk be held in allodium? The answer is simply no. To hold property in allodium, it must be held out against all others and the amount of title granted from the time of its patent reveals the nature of the lands. Property used for fast-food cannot be allodial, nor can rental or commercial lands, because they invite the public's use.

Self-help packets also try to universally fit themselves into nearly every state of the Union. However, various states have substantially different property laws and means of recording and establishing title ownership. Differences, as in traditions from deeds of trust to the equity relationship of land contracts, change quite literally from state to state and are not thought of when these packets are sent out over state lines.

The final great fallacy of a good many people selling allodial title packets is that they believe the mere ownership of property is controlled by simple contract law, and it is not. Property law is one of the single oldest forms of law separate unto itself. Selling real estate almost seems voodoo-like in the methods of insuring titles and boundaries, giving opinions concerning land ownership, and even retaining a real-estate agent for the purchases of simple lands.

My best advice to those that are seeking title in allodium is to research their title histories and understand the concepts of property ownership better than the understanding currently presupposed in writings of many within the patriot community. I also encourage people not to buy the packages provided in the patriot community for the reason that they do not adequately explain the concepts of conveyancing, covenants and seisin, nor do they explain the difference between property law and contract law.

***

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**"'Mid pleasures and palaces though we may roam, Be it ever so humble, there's no place like home."**
**—John Howard Payne, "Home, Sweet Home"**

# Two Flags For U.S.

by J. Krim Bohren

*"Jurisdiction" denotes the lawful power of a government entity (typically a court) to hear and decide issues concerning: 1) certain subjects (subject matter jurisdiction) and 2) particular parties to the case (in personam jurisdiction). For example, a bankruptcy court's subject matter jurisdiction is strictly limited to bankruptcy issues; therefore, it cannot lawfully hear and decide a divorce case, criminal case, or breach of contract. Similarly, a Minnesota court cannot rule on a civil case involving a defendant from Florida unless it first establishes "*in personam*" jurisdiction over the out-of-state defendant.*

*Although jurisdiction is often assumed, the legal maxim is "once challenged, jurisdiction must be proved before the court can proceed." In other words, the Minnesota court may blithely proceed against the citizen of Florida operating on the assumption it has jurisdiction (power) to do so. However, if the Florida defendant knows a little law and challenges the Minnesota court's jurisdiction over citizens of Florida, the court must prove it has* in personam *jurisdiction to proceed with the case against that particular Florida citizen.*

*Because successful challenges to jurisdiction should instantly stop criminal prosecutions and civil lawsuits, jurisdiction is one of the most frequently studied issues within the patriot/ constitutionalist community. Nevertheless, while information on subject matter and in personam jurisdictions is readily available and fairly easy to understand, the courts routinely ignore seemingly lawful challenges to their jurisdiction.*

*The courts' inclination to ignore jurisdictional challenges has shocked, bewildered and infuriated constitutionalists and led some of them to conclude that the problem is not with our understanding of subject matter and in personam jurisdiction, but with our understanding of the kind of courts we confront. In their view, the jurisdictional issue goes deeper than mere subject matter (whether we are dealing with a bankruptcy court, divorce court, or criminal court), but instead hinges on whether we are dealing with a judicial court (as mandated by Article III of the U.S.A. Constitution and presumed by most Americans) or some sort of administrative court operating under either Article I (the Legislature) or Article II (the Executive) branches of government.*

*These same judicial/ administrative court distinctions also exist for state courts but may be identified by different "articles" in each state's constitution. For example, in Texas, the judicial branch of state government is designated by Article V of the Texas Constitution, rather than Article III as in the U.S.A. Constitution. This difference in "Article" designations can confuse initiates to the judicial/administrative court debates, so make sure you understand clearly whether the Article referenced is from a Constitution of the U.S.A. or one of the states.*

*Regardless of Article designation, the central issue is the huge distinction between "judicial" and "administrative" courts. In judicial courts, the parties to a case are afforded due process and all their constitutional rights. However, in administrative courts, due process, inalienable rights, and the Constitution play little or no role. Instead, the parties have only "privileges" which administrative judges (magistrates) can ignore or revoke at will. In essence, if you appear in a judicial court you are protected from government abuse by the Constitution; if you appear in an administrative court, your protections are negligible or non-existent, and the administrative court can be said to virtually "own" you.*

*Therefore, if you assume you are in a "judicial" court when you are actually in an "administrative" court, you may assert a number of constitutional arguments that make perfect sense in a judicial court, but are legally irrelevant in the administrative court. As a result, the administrative judge will listen patiently and then rule as if you'd never said a word.*

*Most "judges" prefer to operate within administrative courts because their powers are much enhanced. Unencumbered by the "bother" of due process and inalienable rights, administrative courts can move 'em in, fine 'em, and move 'em out in a quick, assembly-line manner that some folk*

*call "McJustice". However, administrative judges assume a risk in trade for their enhanced powers -- they lose their claim to absolute judicial immunity and become personally liable for their magisterial (administrative) acts.*

*Therefore, to protect themselves, administrative judges avoid openly explaining to litigants that they are in some kind of administrative court. Based on this silent deception, the ignorant litigant is easily defeated, and the judge incurs little risk of personal liability.*

*Although this practice (hearing cases "administratively" when the ignorant litigants obviously believe they are in "judicial" hearings) is deceptive and unfair, it does not constitute fraud on the litigants if the court provides some silent, unmistakable indication of its true, administrative nature. If the litigants are too dumb to recognize the significance of these silent indicators, tough -- ignorance is no excuse.*

*There may be several silent "indicators" of a court's true nature, but many patriots believe the most obvious indicator is the courtroom's flag:*

The flag of our nation is described and specified at law.[1] Yet today more than one flag is in use in the United States -- one is red, white and blue, and the other is red, white, blue and *gold*.

Over the past two centuries, our national flag changed a number of times:

* On June 15, 1775, the Continental Congress appointed General Washington to take "supreme command of the forces raised, and to be raised, in the defense of American liberty." A battle flag for this force was subsequently displayed in Philadelphia on the first anniversary of the *Declaration of Independence* in July 1777.

* On June 14, 1777 (Flag Day), the Continental Congress passed a resolution by describing the official national Flag for the United States of America as having thirteen stripes and stars.[2]

* In 1795, a Flag with fifteen stripes and stars, known as the Fort McHenry flag, was authorized by an Act of Congress and was flown during the War of 1812. This flag inspired Francis Scott Key to write "The Star Spangled Banner."

* In March, 1818, an Act of Congress returned the Flag to thirteen stripes with 20 stars and ordered the addition of one star for each new State, to take effect the 4th day of July following the admission of that State.

**Red, White, Blue *and Gold??***

As children we chanted the litany of "red, white, and blue" and learned to revere "Old Glory". However, as adults we often see flags that carry an additional gold fringe. Is this fringe merely an insignificant decoration? No.

A gold fringed flag is a battle flag reserved to the General of the Army for use over military headquarters and to display at courts-martial. The Commander-In-Chief, as the civilian authority over a lawfully standing national militia or Army, may designate that flag's use elsewhere. This gives a president, when acting *as Commander-In-Chief*, power to place the government's battle flag wherever he wishes to establish jurisdiction of the military force.

In a 1925 interpretation of statute law, the U.S. Attorney General declared the addition of gold fringe or adornments to the national Flag was within the discretion of the president *as Commander-In-Chief*: "Placing of fringe on national flag, dimensions of flag, and arrangement of stars in the union are matters of detail not controlled by statute, but are within the discretion of President as Commander-In-Chief of Army and Navy."[3]

Thus, a gold fringed flag, often seen upon a staff or flagpole with a gold eagle atop it, or with gold streamers or tassels, is *not* the lawful, or official, Flag of our Nation; instead, it is a military battle flag. Therefore, the gold fringed flag used widely by courts, schools, service organizations and private individuals is *not* a symbol of our constitutional republic, or national Union of States -- instead, it signifies the presence of a *military* jurisdiction.

**Personal Status**

When the gold-fringed flag is present, the lawful *status* of a Citizen determines whether he is subject to a military jurisdiction. Obviously, if the Citizen is a soldier, the military jurisdiction clearly applies. However, most Americans falsely assume that a military jurisdiction cannot apply to civilians. Instead, we generally believe we appear only under the national Flag (red, white and blue, *only*) in "Judicial Department" (not military) courts, wherein due process must be followed and we enjoy all the protections of Constitutional Law. Unfortunately, in a military jurisdiction (where the court-martial tribunal displays the gold-fringed battle flag), a military court may impose criminal sanctions on *civilians* for issues involving *contracts* -- without due process of law.

Whenever you see a gold-fringed battle flag, you can assume the federal government is present -- probably operating under a military jurisdiction. If the courtrooms in your State display gold fringed flags, who is exercising jurisdiction?

[1]Proper display of the Flag is covered in 36 USCS S:141 et seq.; 35 Am Jur 2d, Flag 55 1,7; 61 Stat. 642 (July 30, 1947) and; R.S. 5 1792.

[2]Congress of 1777, "...that the Flag of the United States be thirteen stripes alternate red and white; that the union (a device emblematic of any political union) be thirteen stars, white in a blue field, representing a new constellation ."

[3]Interpretive Notes and Decisions, to 4 USCS 51.

*This next motion was presented to a Minnesota court asking it to either disgard its military (fringed) flag, display the "judicial" flag (red, white, and blue only), and function as a judicial court -- or dismiss the case for lack of military jurisdiction over the accused.*

*I don't know if this motion was granted, but I doubt it. I question this motion's assertions of personal and state "sovereignty" and the reference to "illegal courts". If it were my motion, I might've said something about being a "freeman" rather than a "sovereign" and described the court as "military" rather than "illegal". I might've also*

*added an alternative demand that if the court kept the fringed flag and apparant military jurisdiction, the plaintiff be orderd to provide the "contract" that placed me under military jurisdiciton. Nevertheless, this motion illustrates an attempt to apply the "gold-fringed flag" argument.*

**In Kanabec County Minnesota**
**Tenth District Court**

**State of Minnesota, Plaintiff**
**V**
**Randolph C. Miller, Accused**
**Case No. K4-93-555**

**Supplemental Motion And Demand For Court To Display Proper Flag**

Comes now the Accused in the above-captioned matter, Randolph C. Miller, without the benefit of counsel and motions this honorable court to take notice of the following facts:

* A national or state "flag" is an emblem of that nation or state's sovereignty and authority. *Halter v Nebraska.* 205 US 34.

* The Courts have said that, to the citizen, the national flag is an object of patriotic adoration, emblematic of all for which his country stands - her institutions, her achievements, her long roster of heroic deeds, the story of her past, the promise of her future - and that, to a true American, it is the symbol of the nation's power and the emblem of freedom in its truest, best sense. *Halter v State.* 105 NW 298, affd 205 US 34.

* It is the symbol of national unity, transcending all internal differences, however large, within the framework of the Constitution. *Minersville School Dist. v Gobitis* 3 10 US 586. *West Virginia State Board of Education v Barnette* 319 US 624

* *4 USC 1* provides for a flag of a certain description. As presently designed, the flag of the United States of America consists of 13 horizontal stripes, alternating red and white, and a union consisting of 50 white stars on a field of blue.

* The flag that is displayed in this court is not the flag of the Constitutional Republic of the United States of America. By the attachment of a fringe of yellow silk, the flag and it's meanings are altered and changed to indicate something entirely different from the emblem of our patriotic adoration and freedom. It now signifies the colors and standards used by troops in the field. It signifies that tribunals conducted under such standards axe under military laws, and that the Constitution is suspended.

* The use of such a fringe is prescribed in *Army regulations # 260-10.* In a circular dated March 28, 1924, The Adjutant General of the Army stated: "Ancient custom sanctions the use of fringe on the regimental colors and standards, but there seems to be no good reason or precedent for its use on other flags."

* *34 Op. Atty. Gen 4154* states: "The presence, therefore, of a fringe on military colors and standards does not violate any existing Act of Congress."

* As a Sovereign Individual of the Sovereign State of Minnesota in the Republic of the united States of America, I cannot be compelled to appear before a court that dishonors the emblem of our freedoms and through stealthy encroachments attempts to steal away our rights as guaranteed under the Constitution. I am a true American and therefore demand relief from this deception in the following form:

**Relief**

1. That the illegal, unconstitutional, yellow-fringed flag be immediately removed and replaced with the authorized ( 4 USC 1 ) flag of the Constitutional Republic of the United States of America.

2. That in so restoring the proper flag to this court, the court take judicial notice that it is the emblem of the national unity of a sovereign nation and conduct itself within the framework of the Constitution.

3. Or in the alternative, the court dismiss all charges against the alleged accused and acknowledge the lack of Jurisdiction of illegal courts acting under the yellow-fringed flag and under the color of law.

May 19 ,1995
Respectfully Submitted,
Randolph C. Miller
Persona Propria, Sui Juris

*Here's a "Judicial Notice" which agrees that a gold-fringed flag signals the presence and procedures of something other than a "judicial" court. However, this Notice contends that the jurisdiction under the gold-frinnged flag is not precisely "military", but is rather "admiralty" or "maritime". The author credits Right Way L.A.W. for the fundamental idea (for further info on Right Way, see ad, this publication.).*

**Judicial Notice of Military Flag And Challenge of Jurisdiction**

**I. Colorado Law**

The Colorado Legislature passed into law the requirement that all Colorado Courts must fly a "United States Flag".

"The flag of the United States shall be thirteen horizontal stripes, alternate red and white: and the union of the flag shall be forty-eight Stars, white in a blue field." 61 Stat. 642, July 30, 1947, also 4 U.S.C. §1 (1992).

**II. Yellow Fringe = Military Flag**

Pursuant to 4 U.S.C. Chapter 1. Sections 1, 2, and 3: "Executive Order No. 10834, August 21, 1959, 24 F.R. 6865, 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 of the United States designated this deviation from the regular flag, by executive order, and in his capacity as Commander-in-Chief of the Armed Forces."

Also noted at 4 U.S.C. § 1 notes, and 34 Op. Atty. Gen. 483 (1925) that: "Placing of fringe on national flag . . . not controlled by statute, but are within direction of the President as Commander-in-Chief of Army and Navy."

**III. The Flag Has Jurisdictional Implications:**

"Ancient custom sanctions the use of fringe on the regimental colors and standards, but there seems to be no good reason or precedent for its use on other flags." The Adjutant General of the Army, March 28, 1924, Op. Atty. Gen. 483, 485 (1925)

Pursuant to the "Law Of The Flag", a *military* flag does *not* result in jurisdictional implications when flown.

"Under what is called international law "the law of the flag", a ship owner who sends his vessel into a foreign port gives notice by his flag to all who enter into contracts with the shipmaster that he intends the law of the flag to regulate those contracts, and that they must either submit to its operation or not contract with him or his agent at all. "*Puhstrat V. People*, 57 N.E. 41, 45, 185 Ill. 133, 49 LRA 181, 76 am. St. Rep. 30, citing vol. 1 *Bouvier's Law Dictionary*, Rawles Rev., 779, 800,

The above quoted authority is an example of application of Admiralty/Maritime law and from the National Encyclopedia, Volume 4:

"FLAG. an emblem of a nation; usually made of cloth and flown from a staff. *From a military standpoint*, flags are of two general classes: those flown from stationary masts over army posts and those carried by troops in formation. The former are referred to by the general name flags. The latter are called colors when carried by dismounted troops. *Colors and standards* are more nearly square than flags and are made of silk with a knotted *fringe of yellow on three sides* . . . ."

"USE OF THE FLAG. The most general and appropriate use of the flag is as a symbol of authority and power."

Is there a reason to suspect that the courts adhere to Admiralty/Maritime law, or that the law practiced in this court is that of an Admiralty forum?

As set forth earlier, all insurance is maritime pursuant to *Delve v. Biog.* 2 Gall. 398, Federal Case No. 3776. Private Bank credit in the form of Federal Reserve Notes, upon which the plaintiff/perpetrator and this court exercises jurisdiction, is in fact insurance script within the exclusive jurisdiction of Admiralty/Maritime. Further, the cases before the Court herein are of a "*contractual*" nature which has unquestionable jurisdictional implication(s) under the "Law of the Flag".

**IV *Army Regulations 840-10.***
**1 October 1979.**

"2-3 Sizes and occasions for display.

b. National flags listed below are for indoor display and for use in ceremonies and parades. For these purposes the United States flag will be rayon banner cloth, trimmed on three sides with gold fringe, 2 inches wide. It will be the same size as the flags displayed or carried with it.

c. Authorization for indoor display.

(4) each military courtroom."

"1-6. Restrictions. The following limitations and prohibitions are applicable to flags, guidons, streamers, and components.

e. *Unauthorized use* of official flags, guidons, streamers, or replicas thereof, including those presently or formerly carried by U.S. Army Units, by other than the office, individual, or organization for which authorized, is prohibited except as indicated in (3) below.

(3) Recognized United States Army division associations . . . ."

Last note: Once challenged, jurisdiction cannot be assumed to exist - but must be proved to exist." *Main v. Thiboutot*, 100 S. Ct. 2502.

■

# Common Law Abatements

by John Quade and Joe Allen

*This article is basically the "Introduction" from a package of materials which contend that "common law abatements" can cause the government's statutory courts to leave us alone. The authors claim to have had extraordinary success (seventy consecutive successes against everything from the IRS to traffic tickets) applying this "non-statutory" procedure.*

*Assuming their claims are correct, this abatement strategy sounds like the proverbial silver bullet. In fact, if there's one thing that disturbs me about this non-statutory procedure, it's that it sounds "too good to believe". seventy consecutive victories for defendants? Doesn't seem possible. (My experience suggests nothing works seventy consecutive times in court, not even brown paper bags filled with hundred-dollar bills.) But maybe so.*

*Therefore, based as much on hope and curiosity as confirmed fact, I'm publishing this "Introduction". However, this "Introduction" only hints at the information necessary to apply the abatement strategy. The authors researched the strategy and are entitled to profit from their efforts -- therefore, I can't print the entire document. For further information, contact the authors at the address at the end of this article.*

*I realize this article may seem like an advertisement for its authors. It's not. Note that: 1) I didn't receive a dime for publishing this article; and, 2) that just because I publish doesn't mean that I endorse. By publishing, I'm simply saying: "Some folks who seem sincere and knowledgeable have made some extraordinary claims which deserve consideration and further investigation."*

*I hope that by publishing this "Introduction", subsequent feedback from my readers will either show: 1) the strategy is valid and provides an extraordinary remedy against illegal government assaults; or 2) the strategy is misunderstood, misapplied, or perhaps even false.*

*The answer makes little difference, so long it pushes us a little closer to the truth. However, we must know publicly whether the extraordinary claim (seventy consecutive victories) is true or false. If true, the strategy must be spread as far as possible to "arm" Americans with an effective anti-government shield. If false, the claims are so seductive that they must also be publicly exposed to prevent a bunch of "patriots" from buying and using a bogus strategy that gets them into even more trouble.*

*Whatever the final answer, this "Introduction" offers some intriguing insights, so as always, don't automatically believe, but consider:*

In questions of law, most Americans are ignorant (not stupid) of what's going on. This ignorance makes us slaves to the courts, and enables government to indict, convict, incarcerate, and fine us without worrying about real Constitutional protections. To sustain our ignorance, government does not reveal that:

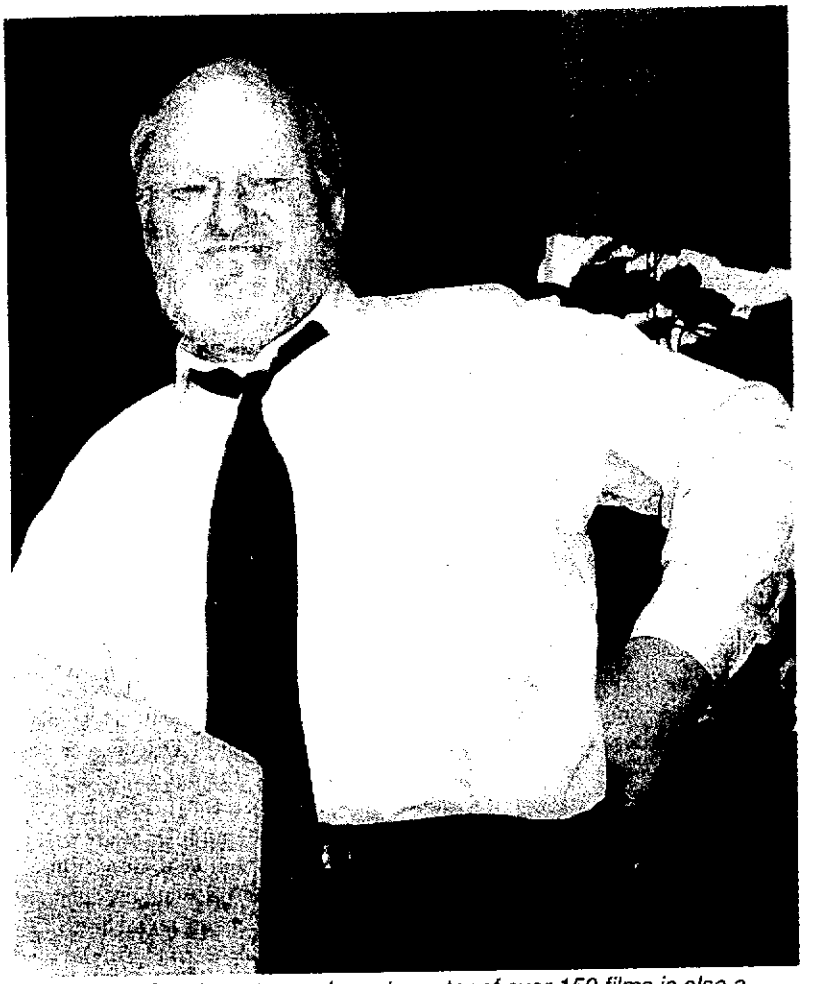
* Applications for Driver's Licenses, Registration, License Plates, building permits, business licenses, etc., are unconscionable contracts that subject us to Martial Rule under Emergency Powers.

* Signing such applications is purely voluntary, and one can do normal activities without such applications.

* These applications are for benefits, privileges and opportunities, that later allow government to deny our constitutionally-protected, God-given rights.

* We cannot acquire true or allodial title to any property purchased under such applications.

The reason we are not openly told these truths is that Federal, state, county and city governments would lose billions of dollars every month if they were required to make full disclosure on all such "applications". However, we are not precisely victims of a "conspiracy" since everything we need to know about this legalistic fraud is found in the public record -- if we know where to look.



*John Quade, veteran character actor of over 150 films is also a researcher and spokesman for the "patriot"/ legal reform movement.*

The real problem is that Americans are ignorant about "law" and lawful procedure". Our ignorance makes us susceptible to injustice that can cost us our property, liberty and even lives on a scale unimagined by the founding fathers.

The solution is obvious. Teach the people real law, lawful process and procedure, so they can defend themselves at-law and protect their property, liberty and lives. If we learn the basics, emergency powers and martial rule government profits will disappear and be replaced by real law and the Constitution. This education won't be accomplished overnight, but we can start now with processes like "Abatements as a Public Nuisance" that have been repeatedly tested and proven over the last year. During those tests we've learned:

* Abatements respond to the majority of emergency powers paperwork -- head-on. Used properly, they can stop all actions filed by such governments -- before the case gets started.

* Abatements are easily understood.

* Abatements have the power and effect of an Indictment and/or the filing of a civil case or suit.

* Abatements unanswered (with Default filed) are Res Judicata, i.e., the Default is Final Judgment. The issue cannot be re-tried without violating the Fifth Amendment, double jeopardy clause.

* Abatements are inexpensive for those who can file their own paper (costs seldom exceed the Process Server Fees).

* Abatements properly filed are a Public Record of unlawful acts by governments and can be used to prosecute such entities, when lawful government is restored.

* Abatements are a major tool in rolling back emergency powers and martial law governments.

To date, every properly filed Abatement has succeeded in stopping all martial rule government actions. In over seventy actions filed in California, no plaintiff/ demandant (Abatement filer) has made a court appearance. These Abatements were followed by Default Notices which offered the government sufficient Time, Place, and Opportunity to respond. Nevertheless, the government entities named in the Abatements never responded with a counter action except for an occasional apology for bothering an Abator.

These government entities include: Federal District Court (3 times); IRS (27 times); Bureau of Land Management; Dept. of the Interior; Dept. of Fish and Game; Fire Dept. (3 times); Dept. of Building and Safety; Dept. of Motor Vehicles (11 times); California Employment Development Department; California State Board of Equalization; California Franchise Tax Board (3 times); and the California Air Quality Management District.

Of course, this list of victories is composed only of those cases known to the authors. Since we began publishing this information, hundreds of other abatements have been filed. It is likely that some of the abatements we haven't seen or heard about have failed. However, since January, 1995, all properly filed abatements which we have seen have successfully stopped all further government action.

**Emergency Powers**

Note: As used herein, the term "emergency powers" is generic and means any form of military style government; i.e., "martial law" (an overt, Orwellian police state) or "martial rule" (a more benign, almost invisible form of military government disguised to "pass" for a civilian, constitutional government).

To understand why abatements work, we must examine the general nature of Emergency Powers;[1] martial law, and martial rule,[2] to see how they operate and why.

First, nations declare emergency powers under the Doctrine of Necessity when a calamity (war, riots, rebellion, national collapse, etc.) occurs that

cannot be dealt with in the usual, peaceful, lawful manner. Emergency powers have been the normal strategy of dealing with "national emergencies" for several centuries -- but only as a temporary measure to cope with a crisis. When the crisis ends, the emergency powers are also supposed to end.

Here in the USA, President F.D. Roosevelt declared a "national emergency" in 1933 and thereby granted himself extraordinary, non-constitutional powers -- supposedly to deal with a bank crisis spawned by the depression. In fact, that crisis was a fraud, but it suited FDR's plan to seize control of the nation and rule by Executive Order (E.O.) without regard to Congress, Courts, or Constitution.

Congress rubber-stamped Roosevelt's E.O.'s, and the federal power grab began. From that day to this, America has been under emergency powers and its people have been systematically exploited by Presidents and the Congress to maintain and justify the enormous growth in the power of the Federal government. The "temporary" emergency of 1933 has been extended and sustained for over 62 years. The States cooperated with the Federal government because they benefitted (right down to the county level) from a massive increase in their tax revenues and powers.

Under emergency powers, the final authority is always the chief military commander which, in this nation, is the Commander-in-Chief, i.e., the military office of the President of the United States. Executive Orders (E.O.s) have the force and effect of law when published in the Federal Register, and by this means they become "Public Policy". This accounts for the "snow storms" of E.O.'s since F.D.R. first seized Emergency Powers in March, 1933.

Second, the area over which Emergency powers may be declared can cover part of a state (city or county), several states, or an entire nation, as is now the case in the USA.

Third, the single most dominant feature of all emergency powers government(s) is unlawful civil authority. Civil courts cease to exist and are replaced by courts with an appearance of legitimacy but without the substance.[3] Court process and procedures become a mix of rules from previous lawful courts and military courts.

For example, today's traffic courts are summary courts martial using military rules as applied to civilians. For proof, research the definition of traffic "infractions". You'll see that "infraction" (along with "contempt", "appeal", etc.) is not defined in most state codes, but is defined in The Manual of Courts Martial (1994)[4] and other military sources.

Fourth, emergency powers governments vary in the degree of emergency declared. The most extreme form is called Martial Law. The benign, less restrictive form is Martial Rule. Currently the U.S. is under the less restrictive form called Martial Rule.

Martial Rule uses municipal law. Courts are draped with quasi-civil forms of law, evidenced by draped military standards in courtrooms (i.e., the gold-fringed flag of the United States, mounted on a pole). However, lawful civil authority never flies flags, only banners, which always hang from the back of the flag with the red and white stripes running vertically. Banners are never hung on a pole. Flags on a pole never represent civil authority -- only military authority on the march.[5]

**Evidence of Emergency Powers:**

1) Under emergency powers, there must be an active and visible occupation of the land by armed troops of the entity that declares emergency powers. This is called "open and notorious, armed and hostile, occupation of the land." Is there an armed occupation of America? Yes!

Under the guise of national emergencies, (hurricanes, floods, earthquakes, etc.) all National Guard units were federalized, and since 1972 all policemen, firemen, highway patrol, state marshals and county sheriffs were placed under control of the Guard. They are all under the control of F.E.M.A. -- the cover for centralization of military and civilian law enforcement powers under the Federal government and the Commander-in-Chief (President).

Active duty, U.S. soldiers are stationed in all National Guard Armories in order to provide the "open, notorious, and hostile, armed occupation of the land" necessary under international law to maintain martial rule in the hands of the President as Commander-in-Chief. Though our soldiers and civil law enforcement officers may not know it, they are the force occupying our land for the Federal government. We the People are held hostage by our own neighbors.

2) Military law only recognizes municipal law. So, states had to create municipal courts to punish "infractions" of Motor Vehicle Codes. Such courts fly the gold fringed flag of the Commander-in-Chief and are really an extension of the President's emergency powers. Their primary function is to collect war reparations through fines, penalties, etc.. They all operate as quasi-military courts using summary court martial proceedings.

That's why these municipal courts only try matters of fact while judges make and declare law on a case-by-case basis without the controls of precedent or constitutional restrictions. Municipal court judges do this because they act for the Commander-in-Chief in the field under emergency conditions. Under Doctrine of Necessity, judges can make any decision to resolve the case. In such courts the constitution, Supreme Court decisions and precedent are irrelevant.

3) Federal, state, county and city emergency powers courts manipulate English grammar to protect their own International Law status. Thus, a state either writes its name as "The State of California" (instead of "California State"), or in capital letters ("CALIFORNIA", instead of proper upper and lower case), or uses abbreviations such as CA, TX, MT, NY, etc, all of which are misnomers and not names at all.

Also, International Law requires that neither party to a case, the State nor the person, can appear in their own name, but only under their *nom de guerre* (war name), as indicated by a name in all capital letters ("JOSEPH ALLEN") or with one name abbreviated ("Joseph A. Allen").

4) During an "emergency", constitutional and common law precedents are too slow and restrictive for the effective exercise of Federal, state, county and city power. By necessity, field officers (judges, highway patrol, sheriffs, etc.) exercise powers of life and death to maintain authority given them by International Law. However, necessity and International Law prohibit lawful civil authority and constitutional mandates because such lawful procedures are too time-consuming and clumsy for military and/or quasi-military operations.

Therefore, under emergency powers government, there is no lawful civil or constitutional authority, no lawful civil courts, and no lawful civil or administrative process (including paperwork). This is the key to understanding why non-statutory abatements work so well.

All emergency power "process" (paperwork) must be defective in form, content and authority when such process is compared to lawful process. But, defective as it is, it is valid in all cases -- except when lawfully abated.

Thus, all court appearances must be voluntary since the Process Rule is: all defects of process are cured by voluntary appearance. Once you appear, lawful or constitutional process has no bearing on the case. From then on, it doesn't matter how many errors one finds in process from emergency powers courts -- if you appear, you implicitly tell the court that you've waived all defects of process. Submission to defects in process waives the protection of fundamental rights.

**Jurisdictional Challenges**

Many believe that "special appearances" (by paper work, motions, etc.) nullify a court's jurisdiction. However, under emergency powers this doctrine is false. Arrest Warrants and procedures don't conform to Constitutional law because they don't have to -- if a defendant appears in person or by "special appearance" paperwork.

Special appearances fail when a judge knows what he's doing. Under martial rule, judges do whatever they want, whenever they want so long as they don't alarm the public or disturb the peace.

Jurisdiction is always granted to try jurisdictional questions, even if one goes to higher courts. Defendants grant jurisdiction without knowing it because they don't first challenge the process that creates the jurisdiction. Process is perfected by appearance, "special" or otherwise, remember?

Further: military courts exercise "benefit of discussion"[6] that gives a court jurisdiction as soon as a Demandant answers a question or demands any response or action of a military court.

Also, an attorney-at-law cannot bring lawful process against an emergency powers court because attorneys are licensed agents of that court and can only use process allowed by the court.[7] Therefore, one must never hire an attorney to appear on a case in an emergency powers court since doing so makes one "non compos mentis" (mentally incompetent) and automatically gives the court in personam jurisdiction.[8]

There is no remedy to challenge a court's jurisdiction, except by first abating its process. Abatements do not challenge a court's jurisdiction; they merely make a good faith attempt to correct "errors" in the court's process (i.e., "Clear up the errors, judge, and I'll appear."). Remember, the case is not the building, judge or anyone else -- it's the paperwork. If the court's paperwork is defective, there is no case and it ceases to exist.

Emergency powers courts have no lawful process because they have no lawful authority. All process by such courts is therefore defective because courts are forbidden to use lawful process, unless and until, voluntarily given to them. Therefore, Arrest Warrants with a judge's signature (black ink), proper affidavits, and true court seals, are instruments of lawful process and cannot be used in emergency powers courts. However, if you respond *lawfully* to an emergency war powers court, the court is incapable of making a lawful response *and must therefore dismiss its case* -- and that is the essence of the abatement strategy.

Ironically, the U.S. and state governments created emergency powers courts to expand their power and increase their revenue. But by doing so, they've become vulnerable to lawful process. Further, there is little they can do about it without coming into direct conflict with International Law. (This is

why the U.S. government will never pull out of the United Nations, because the U.N. is the source of the U. S. government's authority to protect itself under International Law.)

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

**Supreme Law of the Land?**

A "social agenda" is impossible without Doctrines of Necessity and International Law to justify the imposition of emergency powers. The Federal government's use of the Constitution comes down to this: if Constitutional cites fit a Federal need, they are used; if they fit a defendant's need, they are ignored. If the Constitution or precedent doesn't fit, it is ignored.[9] In other words, the Constitution is optional. That's why the Supreme Court decides so many cases ("Right to Privacy", abortion, Social Security, etc.) without Constitutional precedent.

Basically, without lawful process or authority, the Constitution is a dead letter, a facade, manipulated at the Federal government's whim because lawful process and the Constitution are interdependent. In short, if one is gone, so is the other.

One example of the problems caused by emergency powers is that all Constitutional Rights have become "privileges" which can be given or taken away at whim, by necessity and International law. Thus, in *California v. Simpson*, when officer Mark Furhman was called to testify about the infamous tapes, etc., he replied to all questions with: "I wish to assert my Fifth Amendment privilege." Furhman asserted no right -- only a privilege -- using words given him by his attorney/ agent of an emergency powers court.

**Termination**

Emergency powers, martial law, and/or martial rule may be terminated in just three ways:

1) A Commander-in-Chief (President) can terminate emergencies by his own E.O.'s provided that a lawful civil authority exists (U.N.?) to which he may cede authority.

2) If conquered by another power, the conqueror can terminate the loser's emergency powers by its own E.O. or decree. (This point deserves further investigation since, according to International Law and Supreme Court decisions, the U.S. and state governments are "foreign principals" with respect to each other.)

3) The people can terminate the emergency if they restore lawful civil courts and processes and, under the authority of "inherent political powers", re-establish proper, civil and "de jure" government.

Non-statutory abatements can be a primary tool for the people to terminate the national emergency and restore Godly, lawful government to the USA. If the people can lawfully resist the emergency powers courts, process and procedure by responding to unlawful paperwork with lawful process -- emergency powers are effectively nullified. Once the illegal processes of the emergency powers courts are effectively stopped, the government will have no civil option other than to return to lawful courts and process.

Obviously, Federal, state, county, and city governments will not help the people restore common law and the Constitution because it is not in government's best interest to do so. Why? Because without the national emergency, the entire system of welfare, income taxes, codes, ordinances, rules, regulations and bureaucracy will quickly cease to exist within the States.

Nevertheless, nullification of enormous government powers by the people is not only possible, it has happened before. The classic example is Prohibition (instituted by the 18th Amendment in 1919) which was "effectively nullified" by the people when juries across the USA simply stopped convicting folks who made, distributed or sold alcohol. Increasingly unable to win their Prohibition prosecutions in court, the government was forced to revoke Prohibition in 1933 by passing the 21st Amendment.

So cheer up. We've done it before, we can do it again. All we need is an understanding of lawful processes like abatements and the courage to implement.

*The entire abatement package is probably available for less than $50. For further information, write to Joe Allen, c/o General Delivery, Rosamond Post Office, Rosamond California, or call 805-824-2971.*

**Footnotes**

[1]"Senate Report on Emergency Powers," No. 93-574 -- the most comprehensive work to date on the real power of the President and Congress -- openly admits that the Federal government has been under emergency powers since F.D.R..

[2]Birkheimer, *Military Government and Martial Rule*, 1914, 770 pages. The research team searched through 42 titles on the questions of military government, martial law and martial rule. We recommend this work as the best, to date.

[3]*Black's Law Dict.*, 3rd edition, on "government, de facto."

[4]*The Manual of Courts Martial* (1994) is actually a simple update of the 1985 version and is available from most Federal book stores and the U.S. Government Printing Office.

[5]See the various "Manuals of Colors" of the U.S. Armed Forces.

[6]*Corpus Juris Secundum*, Vol. 7, Secs. 4 & 7, "attorney client privilege."

[7]*Blacks Law Dict.*, 3rd ed., "ward of the court."'

[8]*Blacks' Law Dict.*, 3rd ed., "discussion."

[9]Title 28, US Code, Sec. 453. ■

BY LAWRENCE W. MYERS NEWSROOM@4BYPASS.COM



# Justus, Against Them

The press calls them heavily armed extremists. The government calls them "paper terrorists," that is, super patriot lunatics practicing law without a clue. Whatever you want to call them, it is probably best to call them on the telephone because the people of Justus Township, Montana, don't take kindly to trespassers. ABC News cameramen had their equipment confiscated last October when they tried to interview the folks known as "Freemen," who have held the FBI at bay since March 25 and the local U.S. attorney in a stalemate for nearly a year.

These Freemen, who prefer to be known as sovereigns, are notoriously self sufficient. Locals recall that the last time the government shut off their electricity, in the late 1980s, it stayed off for three years and nobody moved away. The community, about five miles square, has a well stocked six-acre lake, silos full of grain, a home schooling program and about a dozen residential dwellings. The woods are full of wild turkey and deer. Livestock graze along the township's 5,000-foot landing strip, although the air space over the Clark ranch has been designated a "no-fly zone."

Justus Township is not exactly economically depressed. The residents say they have assets in excess of $17 trillion in the form of "perfected liens," which the federal government accuses them of converting, through the issuing of bogus "Certified Bank Drafts," into more than $2 million in cash and property. Some sovereigns of Justus Township say they have actually converted their holdings into nearly $15 million dollars so far. They claim their liens are lawful. The generous townsfolk have even offered their liens as commercial paper to the Federal Reserve to pay off that pesky national debt.

Although the U.S. attorney in Montana claims they are criminals, these common law sovereign citizens have made it clear they are well-armed and prepared to defend their community from all invaders. They asserted their local authority two years ago, armed only with a fax machine. Through it the Freemen issued a "one million dollar bounty" for the arrest of local cops, county prosecutors and judges. This attitude suggests that they probably do not recognize the jurisdictional authority of the scores of FBI agents who have them surrounded.

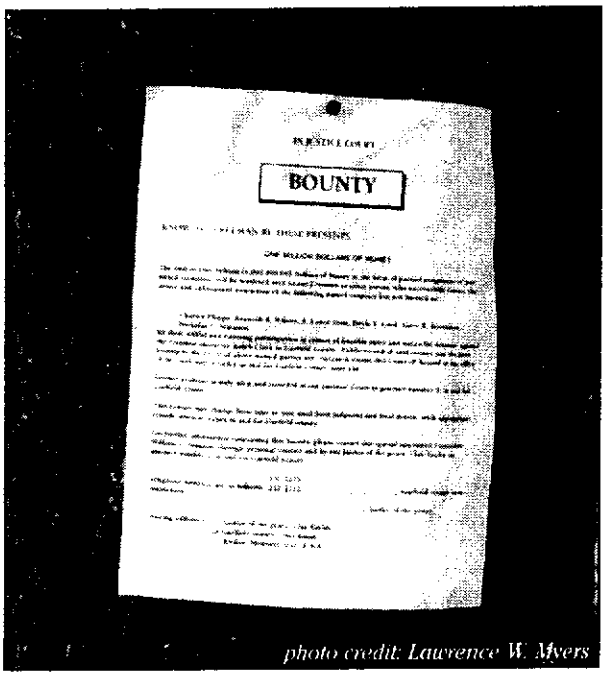


photo credit: Lawrence W. Myers

The federal government says that Justus Township is simply a sign on a gate and that the "town" does not exist. The U.S. attorney asserts the community is a 960-acre wheat farm that was legally repossessed by a bank in 1994, and sold at auction in November of last year.

The government is evidently unable to convince the people of Justus Township, who claim they chartered their community under the applicable Montana state guidelines. The township has a court and several town marshals who patrol the place in pick-up trucks, armed with high-powered rifles and two-way radios.

**"Farm Aid"**

The occupants of this homestead on the plains of east central Montana, near the town of Jordan, are part of a growing movement of American "Freemen" who consider themselves sovereign citizens immune from the legal authority of anyone but themselves and the U.S. Constitution. Exercising, indeed demanding, the right to be left alone, sovereigns live under the principals of English Common Law. They believe their autonomy as free men was bestowed upon them by all-mighty God.

The intensity of this core belief is something a team of FBI behavioral scientists involved in the telephone negotiations have probably learned after several hundred tedious hours of conversation with the historically cantankerous residents of this lonely plot of land in the middle of the American West.

Neighbors say the ranch has been in the Clark family for four or five generations. "Their problems began about 12 years ago, when the Farmers Home Administration tried to foreclose on their property," says Karen Taylor, a friend of the family. "They beat the FHA in court the last time, and the government has been trying to take the property away ever since."

Taylor also charges that a farmer on an adjacent ranch, K.L. Bliss, who bought 6,000 acres of the Clark property at auction in October 1995, sold the freemen several of the SKS rifles and other weapons present at the site. "Bliss has a machine gun mounted on a Jeep, and a lot of weapons. He even has a fifty caliber. I believe he is some kind of gun dealer," she said.

Residents of the township object to Bliss and others in the county calling in the FBI to settle a dispute that, so far, has involved no shots fired nor a single act of violence.

In a telephone interview, Bliss acknowledged selling some rifles years ago to a few "Freemen sympathizers," but does not believe the guns he sold are on site now. He said he is not a licensed firearms dealer, and denies providing any weapons to those living at the ranch today.

Bliss, who said he is happy the FBI finally came to town, claims the Clark ranch is owned by the U.S. government. "There was a sheriff's sale on it initiated by Farm Credit Service on April 14, 1994. Before the year of redemption was up in April of '95, the U.S. government exercised its right of

redemption by paying FCS the $45,000 mortgage owed on the property. Then, Farmers Home Administration took title to the property," he said.

According to Bliss, "These people are not all of a sudden being thrown off of their land. The have refused to pay the principal, the interest or taxes on the property for nearly 15 years."

Bliss recalled that the FHA suspended foreclosures during the farm crisis in the mid-1980s. "There was a moratorium on farm foreclosures for several years, but everyone knew it was just a matter of time," he said.

Bliss does not think the standoff will be resolved peacefully.

"These people believe they are outside of the system. They set up their own courts, elect their own judges," he said. "They've renounced their citizenship and set up their own country, basically. I don't think, quite frankly, that they will come out of there without a fight."

"They don't set up under their own rules," said freeman Lucky Kountz, 53. "They set up under the Constitution of the United States and the Constitution for the republic of Montana."

The Freemen dispute the charge that the ABC camera crew was robbed at gunpoint last summer. "No guns were ever pointed at anybody.

They were trespassing and invading people's privacy," said Kevin Entzel, 36, the stepson of Dan Petersen who witnessed the confrontation. "My dad told them to give him their cameras, and they did. The men who confiscated the cameras are sworn peace officers."

"They wear marshal or constable badges and sidearms. The [ABC News] camera is sitting on the shelf in the Justus Township courthouse with an evidence tag," Entzel said.

Meanwhile, Karen Taylor said the FBI's arrest of Schweitzer and Petersen should not have happened so early in the morning. "Why didn't they wait until all the women and children were gone off to work or to school? Anyone watching this place would know that most of the women and kids leave the place almost every day," she said.

Children as young as five years were believed to be on the property.

One of the women who has a federal warrant outstanding at the farm, Agnes "Aggie" Stanton, wife of Bill Stanton, "goes to town at least twice a week, and everybody, including [Garfield County] Sheriff Charles Phipps knows it," said Taylor.

She continued, "I would also like to know exactly why all these armed agents are up here in the first place. Nobody has ever been hurt or assaulted. There has not been so much as a bloody nose or a black eye come out of this group, ever."

**"Undercover Sting Operation"?**

The March 25 arrest of LeRoy Schweitzer and Daniel Petersen on fraud and conspiracy charges precipitated the standoff, which evidently came after at least six months of FBI undercover penetration of the township.

From jail, Petersen reportedly told family members that two visitors at the ranch asked him and Schweitzer to drive with them over to a small knoll about a half mile from the ranch house in which they were staying. They lured the men there ostensibly to discuss the placement of a communications tower. Petersen reportedly told his son one agent struck him in the head with a "sap" before a stun gun rendered him unconscious. The two men, posing as patriots and electronic security experts from North Carolina had visited the property on and off for months and built trust with the freemen by liquidating their bank drafts.

Lucky Kountz said the agents attended a few common-law classes at Justus Township last November and came back a couple weeks later. "They offered to help the cause," he said. One of the FBI men, who reportedly went by the name "Mike Manson," returned to Justus with computers, a copy machine and other equipment he claimed to have purchased with bank drafts.

"They even offered to cash a million-dollar bank draft for LeRoy, but they told him he would have to go out on a boat offshore to get the money. Leroy said he didn't want any of the money and he never went off the ranch with them," Kountz said.

"He was real friendly, he struck me as being too slick," said Entzel, who met both of the agents while they visited. Entzel is now suspicious of all the merchandise the agents brought to the site, believing it to be bugged.

Several Freemen warned Schweitzer about the strangers who always came with cash and equipment for the community. "LeRoy was suspicious" of the agents, Kountz said. "They were too helpful. He suspected they were part of the Fifth Column," an apparent reference to a group of renegade computer hackers battling government corruption, as detailed in Jim Norman's reporting in *Media Bypass*. "But they acted like white hats, they were bringing in equipment that was needed, and LeRoy felt that what he was doing was perfectly legal."

"This guy Manson brought so much stuff in, our town court even appointed him to be a marshal in Justus Township," said Entzel, who was on ranch property until the Sunday before the raid. His mother, Cherlyn Bronson Petersen, is still there, and he said the FBI will not allow him to visit. "They are afraid I will agitate things," he said, adding that he suspects other undercover agents or informants may still be on the property.

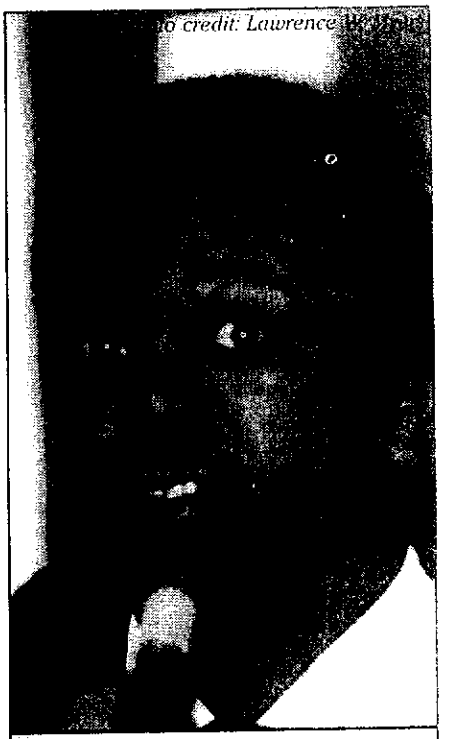
## Persons Believed On Site at "Justus Township," Montana (as of March 25)

- **Rodney Owen Skurdahl*** (43; wanted on federal warrants)
- **Ralph Edwin Clark*** (65; federal warrants)
- **Wife Kay Clark** (mid-60s)
- **Edwin Clark** (mid-40s; charged with threatening Montana officials)
- **Wife Janet Clark** (mid-40s; unconfirmed reports claim she has exited)
- **Daughter Dawn Clark*** (18; unconfirmed reports place her elsewhere)
- **Son Casey Clark** (20)
- **Emmett Bryan Clark*** (67)
- **Wife Rosey Clark** (mid-60s)
- **Agnes Bollinger Stanton*** (65)
- **Son Ebert William Stanton*** (about 23)
- **Ebert's wife Val Stanton** (early 20s)
- **Ebert's daughter Mariah Stanton** (5)
- **Dale Martin Jacobi*** (54, former Canadian police officer)
- **Cherlyn Bronson Petersen*** (51)
- **Dana Dudley Landers** (48)
- **Russell D. Landers*** (44)
- **Steven Charles Hance**** (46)
- **John Richard Hance**** (19)
- **James Edward Hance**** (23)
- **Elwin J. Ward** (55)
- **Wife Tammy** (aka "Gloria") Ward (37; wanted in Utah on a felony charge tied to custodial interference)
- **Daughter Jay Lynn Ward** (8)
- **Daughter Courtney Ward** (11)

*Wanted on federal warrants
**Wanted in Gadsden, N.C. for alleged assault on a law enforcement officer, resisting arrest and assault and battery
**Editor's note:** as we go to press, Ebert's wife Val and daughter Mariah were believed to have left the site April 5th.


**"I support sending militia people to the site to observe & record & keep watch on the actions of the federal law officers. Any further action will depend on them."**
**Mike Kemp, a leader in The Gasden Ala, Minutemen Militia**


**"The FBI should surrender to the Freemen"**
**Red Beckman, of the Fully Informed Jury Association (FIJA)**




**"I support the sovereignty of the Freemen but suggest with common law...you need common sense."**
**J.J. Johnson, Ohio militia leader**

"We don't know everyone there. So many people came and went. There are several houses full of families at the township," he said.

Kountz said he considers the agents' actions to be treasonous and criminal. "They kidnapped LeRoy and Dan from their home," Kountz said.

Not all nearby residents object to the notion that agents penetrated the township. "I would have been disappointed in our government if they did not have people in there," said Bliss. "As many people who have been allowed to come and go in that place, I don't know all the details, but I'm glad somebody was in there investigating. I'm also pleased with their patience so far, but, sooner or later, the laws are going to have to be enforced, whatever it takes."

Dozens of friends and family members have been allowed to talk to their loved ones in the township via telephone at the FBI command post in the Garfield County fairgrounds.

"They took me into an office and let me call my friend Gloria Ward, but they tape-recorded it, and two people were monitoring while we talked," said Angelica Virginia Brasda, of Michigan. She had intended to visit Elwin and Gloria Ward and their two children, who are at Justus Township. "I asked her if she was all right and she said she was fine."

## Terms of Surrender

**On April 2 freemen advised the FBI of three demands that must be met for them to consider surrender:**

**1) Convene a common law grand jury in Justus Township Supreme Court. The federal government must prove its jurisdictional authority. If accepted, and there is evidence sufficient for an indictment, Schweitzer and Petersen will be indicted and charged.**
**a) The grand jury pool can be selected from any of the 37 states that have functional common law courts.**
**b) The government is invited to present its case and enter evidence before the grand jury.**

**2) If indicted, the freemen will be tried in Justus Township common law court.**

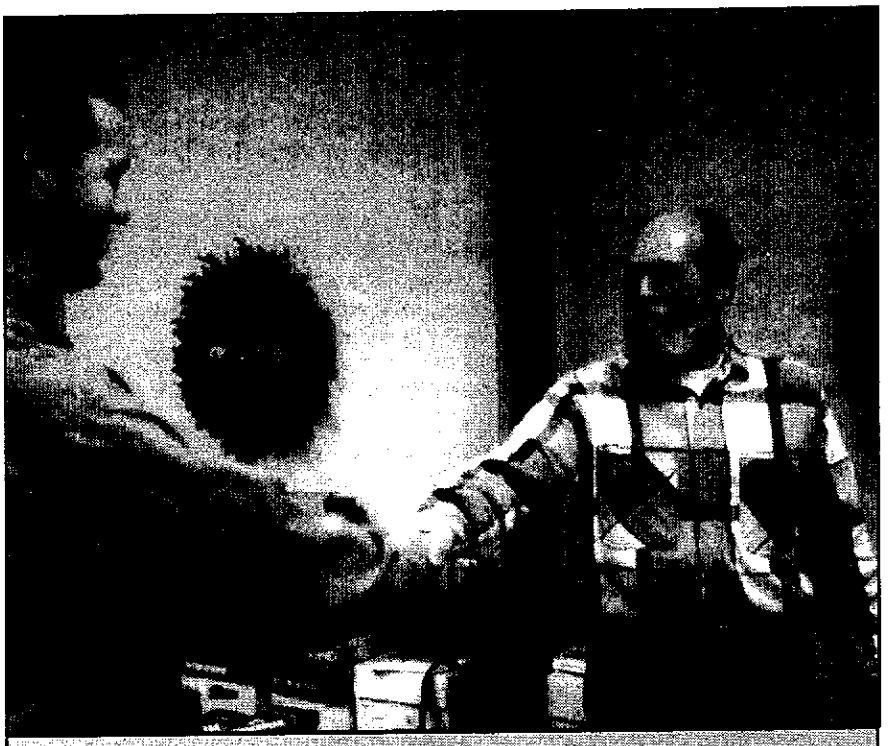
**3) The government must reopen the federal grand jury that issued the indictments and investigate possible misconduct.**

The people inside the township are there for a variety of reasons. For example, according to Brasda, the Wards traveled to the site for sanctuary from Gloria's former husband, Steve Mangum, of Utah. Mangum has claimed on television that his ex-wife has his daughter and stepdaughter in the compound, and he fears for their safety. Utah authorities have an outstanding felony warrant charging Gloria Ward with custodial interference, according to family members.

Since Brasda is not a blood relative, the FBI would not let her visit the Wards despite their request that she be allowed in. The bureau has allowed limited family visits to the site as long as they don't carry any "contraband" including food, tools, weapons or ammunition.

### What Next?

Negotiating with the people of Justus Township is problematic for reasons not confined to common law ideology. Entzel suggests there may be no designated leader inside the property to speak on behalf of others. "Sovereign citizens tend to think



**John Trochmann (right) of the Militia of Montana (MOM) was warned the night before the stand-off began.**

and act for themselves. They will each have to decide what to do on their own," he said.

Schweitzer and Petersen were key players in the drama, and there may be no clear replacement able to create consensus among a group of people who, if they so chose, could probably stay holed up on the property approximately forever, according to Kountz.

After arresting the only identifiable leadership on the first day, the FBI may have a great deal of difficulty gaining any unanimity among the people inside a place the press calls a compound, the government calls a farm, and the occupants call a township. All have different motives for being there, and separate issues to resolve regarding any surrender to federal authorities.

Along with the family from Utah, three men from North Carolina are there with outstanding warrants for assault on a law officer. A couple from Colorado are in Justus Township following federal charges of conspiracy and mail fraud. And several generations of the Clark family are there because, well, "They have always been there," according to neighbors.

Although most observers in the common-law community appear to support the Freemen's position, there seems to be some divergence of opinion. Ohio militia leader J.J. Johnson sees risk in endorsing all that the freemen represent. "One should not practice the same bureaucracy one is fighting against...this whole phenomena of placing liens and printing money orders has been causing a growing division between patriots throughout the country," he said.

**The standoff evidently came after at least six months of FBI undercover penetration of the township.**

Johnson continued, "The standoff needs to be resolved peacefully in the courts. If force is used by the federal government, there may be unintended consequences. This is not a constitutional issue as much as it's a credibility issue, and if these people go down, the entire common law movement may go down with them."

Johnson is confident that a peaceful solution can be reached. But, he is skeptical and concerned about the overall impact the Freemen may have on the community. "The lesson to be learned is this: You cannot have common law, without common force, and you cannot have common force without common sense," he said.

The situation appears less tense and less volatile than Waco or Ruby Ridge. For one thing, despite charges of weapons violations at the property, the BATF is conspicously absent in Montana. The so-called "jack booted thugs" of the FBI Hostage Rescue Team were seen wearing tennis shoes and Dockers along the outskirts of Justus Township, politely asking media people to sign a waiver before passing by their perimeter. Quite neighborly behavior from about a hundred armed men who have a homestead surrounded.

The government also almost seems to be treating the patriot community as though it were an oppressed minority group, by reaching out to the various spokesmen in the movement. The FBI has been in contact with many militia and patriot leaders, asking for advice and reassuring their intention of finding a peaceful resolution. Jeff Randall of Alabama, Bo Gritz in Nevada, John Trochmann of Montana and Ken Adams of Michigan are among those who have been contacted by the FBI and given assurances that no harm will come to families inside.

Not everyone in the patriot movement thinks the standoff can be resolved peacefully, however. According to author and constitutional law researcher Red Beckman, of Billings, Mont., who has had contact with LeRoy Schweitzer since 1984, the probability of the residents of Justus coming out and surrendering to the FBI is "zero."

"What we are saying is that the FBI has got to surrender to them. They need to prove their jurisdiction. Right now, [the FBI] is violating the Freemen's rights. We also have to pursue the questions about the grand jury that indicted these people. What we want to know is how many IRS, ATF, FBI and other state and federal employees were stacked on this grand jury. We have good reason to believe that the grand jury was totally stacked." He did not elaborate.

With the standoff going into its second week as we go to press, the world is watching and waiting for someone to blink.

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BY LAWRENCE W. MYERS



# 'Lien on Me' a Sad Refrain for Targeted Parties, and 'Collateral' for 'Bogus' Drafts

The standoff in Montana has raised a number of questions about federal currency regulations and the legitimacy of allegedly bogus money orders, backed by "perfected liens" filed against government officials, banks and other objects of Freeman affections. And while their legality remains in dispute, the federal government and some state agencies have accepted some of these drafts for payment on back taxes and other obligations over the past five years — and have reportedly issued thousands in refunds for overpayment.

An historically obscure and complex "loophole" in the Uniform Commercial Code (UCC) has facilitated the creation of bank drafts, money orders and other financial instruments by some members of the patriot community. Although convictions for counterfeiting, bank and mail fraud have been gained against some purveyors, dozens of banks, businesses and government agencies have accepted them for a variety of goods and services as though they were legal bank drafts or certified money orders, which they resemble.

People producing these documents claim they are accepted because they are indeed legal tender. The federal government disagrees, saying people were duped, and recently initiated aggressive prosecutions in at least four states.

The Internal Revenue Service declined comment to *Media Bypass* about the agency's apparent acceptance of certified bank drafts issued by Montana "Freeman" LeRoy Schweitzer for the payment of income taxes. Schweitzer was arrested March 25 on criminal charges including the distribution of these drafts. Yet despite a supposed three-year "ongoing" FBI investigation into the freemen's financial dealings, in at least a half-dozen instances IRS offices across the country apparently have accepted and deposited the money orders from taxpayers, and lifted liens and garnishments. Amazingly, the agency reportedly has even issued U.S. Treasury checks for overpayment.

In September 1995 a Sonoma, Calif. couple, Drehne and Sheila Pearce, who earlier had an IRS lien placed on their assets for back taxes exceeding $8,000, obtained a "Certified Banker's Check" from Schweitzer with a face value of $22,700, and mailed it to the IRS. Since Schweitzer's money order was almost triple the amount due, the couple apparently sent a letter with the check requesting a "refund for overpayment immediately...criminal conversion will occur against you as cause of action for failure to send refund."

Within 30 days, the IRS lifted its lien against the Pearces, and mailed the couple a refund check for more than $14,000. An attempt to contact the couple was unsuccessful.

It remains unclear whether the money order was in fact purchased from Schweitzer; money orders may have been given to people attending Freeman seminars. However, it appears that the couple, in gratitude, sent Schweitzer $2,000 in postal money orders after receiving the refund.

In June 1995, a Texas man reportedly sent a Schweitzer money order to the IRS in the amount of $57,073, according to records of freeman financial transactions. The IRS purportedly applied the payment to his past due tax obligation, and issued a refund for overpayment. The financial records further show that a Seattle woman sent the IRS a money order for $125,428, which was accepted and applied to her tax liability.

The IRS is not alone. Other government agencies have deposited the Schweitzer bank drafts and occasionally issued refunds when the amount on the money order exceeded the amount due. For example, Roger Leffler, of Fridley, Minn., sent a $13,000 freeman bank draft to his state's Office of Child Support Enforcement for past due child support. The agency apparently accepted the check, cleared his account and issued Leffler a refund check for $5,712.72.

Judith Long a spokeswoman for the enforcement office said she was not at liberty to discuss individual cases, including Leffler's. However, she said, "We have accepted *no* bank drafts from the freemen, *ever*." Leffler could not be reached for comment.

Also, a Michigan bank apparently applied a Schweitzer money order against a woman's car loan. The vehicle title was cleared and issued to her before authorities realized the nonexistent value of the check. The woman, who requested anonymity, told *Media Bypass* she still owns the vehicle free and clear, still has the title, and has yet to receive notice from the bank disputing the payoff of her loan.

### A Legal "Grey Area?"

Federal authorities report that thousands of these money orders and bank drafts are now in circulation as loan collateral or as payment of debts, public and private. The problem of banks and agencies accepting them for deposit has become so serious that the U.S. Comptroller of the Currency regularly issues warnings to financial institutions to not accept them.

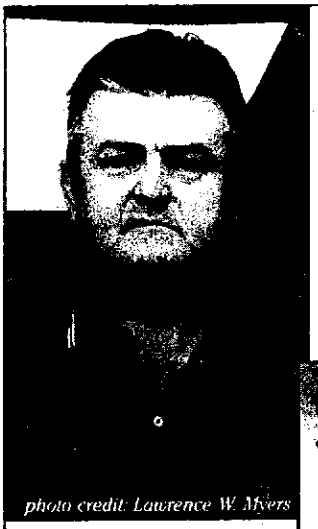


photo credit: Lawrence W. Myers

**(left) F. Joe Holland of Indiana supports the Freemen's legal positions, but says he does not agree with their religious beliefs.**

photo credit: Lawrence

**(right) Eugene Schroder says if the Freemen's liens and bank drafts are unlawful, so are the U.S. government's.**

# What A 'Freeman' Believes

The small group of Americans (estimated at less than 25,000 nationwide) identified as "Freemen" generally do not accept the label. They say the media coined the term from documents filed by people who consider themselves "sovereign citizens." These people claim their sovereignty originates from the 1783 treaty signed with England's King George officially terminating the Revolutionary War. That treaty transferred the sovereignty of the king to "we the people" of the sovereign state republics comprising the 13 colonies.

They do, however, consider themselves "free men."

Essentially, sovereign citizens do not recognize any agency, law, or regulation that abrogates their sovereignty as, they claim, the Founding Fathers intended. Sovereigns feel they are under no legal jurisdiction or authority except the original U.S. Constitution and constitutions of the states in which they reside. Typically, the Bill of Rights (the First through 10th amendments) is considered the last lawful addition to the Constitution; following amendments are rejected.

Sovereigns abide by essential elements of "common law," which they believe is inspired by Scripture and addresses standards of conduct within human interaction. In turn, the common law is said to have inspired the Magna Carta and English Common Law, which formed the fundamental basis of the U.S. Constitution.

Although there are no truly universal values shared among all adherents, the core beliefs of the so-called "freeman movement" are outlined here.

1) **Philosophy** — Rights are unalienable and are granted by God, not man. He does not in any way recognize the federal government. Sovereigns often refuse to have tags on their cars. Most do not pay federal income taxes or register to vote. They generally do not participate in any federal government mandate. Many have renounced their citizenship in writing to the government to clarify this point.

2) **Civil Rights** — Under their conception of common law, every sovereign is responsible for his own actions. They create their own common law courts, and don't accept the jurisdiction of any other court.

3) **Women** — A woman has no standing among sovereigns unless she is a single woman. Even then, although she is responsible for her own actions, she has no authority to vote, sit on juries or conduct war. Their women historically have been subservient, although this is not always the case.

4) **Family** — A sovereign is head of his homestead. He ultimately is responsible for all of his family's actions and experiences, including religion, home schooling, work ethic and development of moral character.

5) **Lifestyle** — A sovereign generally strives for complete self-sufficiency. Historically an agrarian culture, sovereigns are known to hunt game with proficiency, raise their own livestock and grow their own grain and vegetables. A great deal of emphasis is placed on work, although many are chronically unemployed because they refuse to allow withholding taxes to be drawn from their paychecks.

They do not talk to attorneys, considering such activity "consorting with titles of nobility."

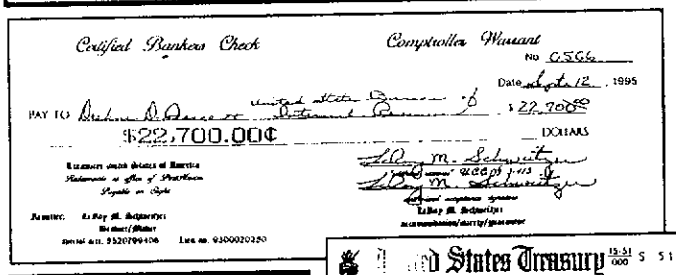
6) **Jews** — Although not universally anti-Semitic in the traditional sense of the word, a sovereign is often considered an "anti-Esau-Edomite Jew." A common belief is that Jews strive to control the world's wealth through the control of commerce.

7) **Blacks** — A sovereign does not recognize the citizenship of blacks, because he does not recognize the 14th Amendment that made citizens of "all persons born or naturalized in the United States." Many sovereigns believe the amendment was illegally ratified under martial law, and hold that blacks were not part of "we the people" under the Constitution.

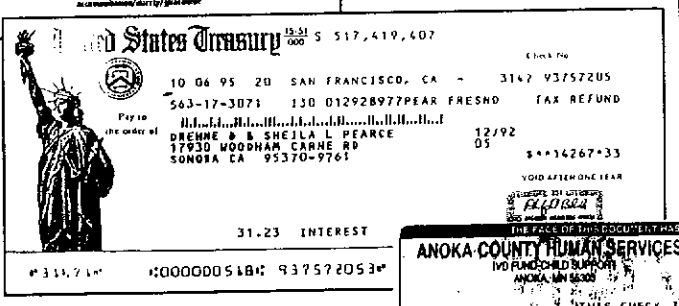
8) **Military Service** — A sovereign would not register for Selective Service because he will not engage in foreign wars. Military service is restricted to a home guard or "unorganized militia," which they advocate must be well-regulated by the community and the common law. He feels that under the Constitution, a federal standing army is only permitted to exist for a maximum of two years.

9) **Federal Law** — A sovereign does not recognize licensing or statutes under commerce laws (although many are adept at applying commercial liens against others). A sovereign does not even accept the use of zip codes on mail, which he refers to as an identification of his "postal zone." He feels that use of a Social Security number, a bank account or a zip code might in some way indicate his submission to the jurisdiction of the federal government.

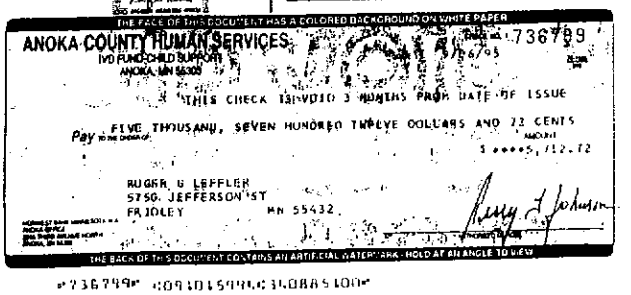
10) **Economics** — Although frequently forced to use them, sovereigns do not recognize Federal Reserve Notes. They generally prefer to trade among themselves with gold or silver coin, or barter for goods and services.


Certified Bankers Check — Comptroller Warrant
No 0596
Date Sept 12, 1995
PAY TO [illegible] $ 22,700.00
$22,700.00¢ DOLLARS

**#1 (left) This Freeman bank draft was sent to the IRS for payment of an $8,000 obligation.**


United States Treasury 15-31/000 $ 517,419,407
10 06 95 20 SAN FRANCISCO, CA 3142 937572US
563-17-3071 130 012928977PEAR FRESNO TAX REFUND
Pay to the order of DREMME D & SHEILA L PEARCE 12/92
17930 WOODHAM CARNE RD 05
SONORA CA 95370-9761 $**14267*33
VOID AFTER ONE YEAR
31.23 INTEREST
:000000518: 937572053

**#2 (middle) This apparently authentic document shows a $14,267 check refund sent back for over payment.**


ANOKA COUNTY HUMAN SERVICES
IVD FUNDS-CHILD SUPPORT
ANOKA, MN 55303
736799
THIS CHECK IS VOID 3 MONTHS FROM DATE OF ISSUE
Pay FIVE THOUSAND, SEVEN HUNDRED TWELVE DOLLARS AND 72 CENTS
$ ****5,712.72
ROGER G LEFFLER
5750 JEFFERSON ST
FRIDLEY MN 55432
:091015998:31088510

**(below right) A man in Minnesota reportedly used a Schweitzer money order to pay off his past due child support. Despite the denials, the agency apparently issued a refund of more than $5,000 for overpayment.**

The federal government has recently moved on several organizations producing the money orders with search warrants and in some cases, indictments for bank fraud. Despite claims of "sovereignty," the legality of the activity is far from clear. Indeed, the government has indicted and convicted people for engaging in this money-order scam in the past, under the conspiracy and mail fraud provisions of Title 18 USC Section 371 and Section 1341, which makes it a federal offense to "devise a scheme and artifice to defraud and obtain money and property by means of false and fraudulent pretenses... [through the U.S. Mail]."

But according to F. Joe Holland of Boonville, Ind., who claims he sold millions of dollars worth of similar money orders "for three or four years" ending in late 1993, the government may have trouble making a criminal case against the freemen.

Even attempting to make a case is complicated; the paper trail often ends at the victim bank. Holland, for example, cannot recall how many he sold, adding that he does not keep records. "I am a lifetime member of the Ollie North school of shredding. Documents don't stay around my place very long at all," he said.

Although his company, Capital Resources, no longer sells the instruments — which he calls Security Drafts (backed by commercial liens) and Public Office Money Certificates (POMCs, essentially conditional promissory notes) — for about 10 cents on the dollar. He claims they are perfectly legal.

"The way I understand it, these money orders are worth as much as a Federal Reserve note printed by the federal government. It is really no different," said Holland, whose North American Freedom Council was raided by a host of armed federal agents in October 1994. A federal grand jury has since heard evidence against Holland but he not been charged with any crime stemming from the raid.

"There is no crime, and they are having a little trouble inventing one," insists Holland. We are applying the same legal principles in creating these bank drafts and money orders that the Federal Reserve uses to create money in this country, and they know it."

Holland says federal courts have accepted POMCs as genuine financial instruments for more than 20 years. "If you look at the Bank of Augusta vs Earle, [13 pet (US) 519], the court ruled, and I quote, 'A private individual has as much privilege as banks, and the Public Office Money Certificates are just as good as bank checks or federal reserve notes.' This issue has never been disputed since then." Holland said.

The POMCs typically say they are payable in "money of account of the United States," which patriots say is gold and silver coin, per the Constitution. Holland and others have tried to bait respective secretaries of state to make such a determination with no success, Holland said. If such a ruling were made, Holland said that in order to pay the note, "The next question is, OK, I've only got Federal Reserve notes in my pocket — where can I exchange one FRN for one silver dollar?"

**'Freemen' believe this 1896 gold coin to be real money.**

**"Lien on Me"**

Despite government arguments to the contrary, proponents claim the homemade money orders are not exactly worthless paper. They are typically backed up by millions of dollars in liens held by the group or organization issuing them.

"These money orders are collateralized by commercial liens placed against companies and individuals," Holland explained. "Under the commercial law, if I feel I have been damaged by anyone, I notify them in writing through a grievance complaint. By law, they have 20 days to respond, however, we give them 30 days. They are warned in large print that failure to respond in 30 days will be deemed as acceptance of the complaint.

"Legally, the only acceptable response is a 'counter-Affidavit of Truth,' which must come from them personally. If they fail to respond, then a lien is placed against them and secured by all of their real and personal property, to the fullest degree allowable by commercial law. The lien is created under contract in accordance with Article 1, section 10, clause 1, of the Constitution, which reads in part. 'no state shall...pass any law that impairs the obligations of contracts.'"

Commercial liens are now clogging courthouses nationwide. Judges often rule that the liens are "non-consensual" and therefore legally invalid. Proponents disagree. Although the target of a lien may not directly consent to its contractual obligations, Holland insists that a failure to respond essentially is guilt by default.

"If they fail to respond, under common law, they have 'consented by acquiescence,' a term which can be found and defined in Black's Law Dictionary. It is important to keep in mind that if he does respond to my grievance with an Affidavit of Truth, then it simply becomes a war of affidavits. And the first one who leaves the battlefield, loses the war."

The commercial liens often are for hundreds of thousands, even millions of dollars. The amount of damages sought is at the discretion of the individual, but at the common charge of 5 to10 cents on the dollar to fashion the lien, the more you seek, the more you pay. They are registered under Form UCC-1 with the respective secretaries of state, and then are used as collateral, or as in most cases commercial paper that is sold, leased, transferred for collection or used to back up the money orders. "Liened up" companies and individuals have been known to buy them back at a fraction of their value in order to save money on legal costs of fighting them, and escape related aggravation.

Holland claims he holds more than $6 billion in commercial liens, which he recently submitted for collection to an "offshore interest" whom he declined to identify. Holland said he expects to sell this commercial paper for at least $2 million.

Most of the groups in the patriot community who advocate the use of the lien/POMC technique sell how-to classes and books. The freemen held a 15-hour class each week in Justus Township that explained the process, for a fee of $100.

**"Right Wing, Malicious"**

Unless the target is wealthy, Holland advises against putting liens on private individuals. "We want liens we can collect. Why put a lien against a judge? Who wants a black dress and a wooden hammer? We recommend liens being put against rich corporations, banks and financial institutions."

Those who have liens placed against them often are unable to obtain credit, or sell or purchase a home, until the lien is released. The freemen reportedly have "liened up" an FBI agent on their case, and dozens of government officials. Montana public officials have gone to Schweitzer and asked him to lift a lien. According to Lucky Kountz, Schweitzer has "settled" some of these liens for one dollar.

Holland, who feels that the Freemen probably were engaged in a lawful activity, says he does not support Schweitzer "because of his racist and anti-Semitic views. I support a man's right to say what-

ever he wants to say, but I think LeRoy has a problem when he will stand up in a crowd and suggest that he will shoot any of his neighbors on site if they interfere with his Freemen when they go out to round up judges and public officials for trials and hanging."

Holland also pointed out that not everyone who has used one of Schweitzer's money orders has achieved positive results. "A good friend of mine, Jerome T. Schiefen of South Dakota, was arrested in February and is in jail up in Sioux Falls for trying to pay his taxes with a Freeman bank draft."

Bill Stanton, associated with Schweitzer's loose knit freeman group, reportedly deposited more than $3.5 million worth of commercial liens in a Merrill Lynch account, and was paid interest and dividends until the account was closed in November 1994. Stanton wrote a $25,000 check on the account to pay property taxes in Garfield County. His conviction on bad check and criminal syndicalism (threatening public officials) charges brought a 10-year sentence at Deer Lodge State Prison in Montana. Stanton also is named in the federal indictment.

Clay Taylor, 37, and his wife Karen of Garfield County, were convicted in fall of 1994 for impersonating a Justice of the Peace in the Stanton case. His conviction is under appeal. Although he supports their stance against the existing money system, "Their blend of [Christian Identity] religion and common law has, to a certain extent, taken away their moral high ground," he said. "Putting liens and bounties on their neighbors has not helped them much either."

Taylor is reluctant to continue with the Freeman movement. "They sent me into a gunfight with a ballpoint pen, and I lost. I agree that they have identified an area of fraud in our credit and money system. I am not sure all of their solutions are right," he said.

Freeman-type money orders and drafts have been used by thousands of Americans with mixed results. Even Oklahoma City bombing suspect Terry Lynn Nichols attempted to use a similar bank draft to pay off a $17,000 Visa credit card debt. He lost the case in a Michigan court.

According to Clay Taylor, one of Schweitzer's money orders was found on the person of Ohio militia chaplain Mike Hill after he died in a shootout with police last summer.

**"Freeman Mayors are Oathed and Bonded"**

The Freemen money orders have shown up in other areas, as well. Tom Klock, former mayor of Cascade, Mont. acquired $20 million in certified money orders from Schweitzer in March of 1995 as a surety bond to insure the performance of his official duties. "They were made out to the town of Cascade for a bona fide bond for myself and two city council members," Klock said in a telephone interview. "I went through the town hall and had the clerk stamp them and deposit them into the town of Cascade's account. And that's when the [expletive] hit the fan. The local undersheriff's wife works at the bank, and she contacted the FBI, who then confiscated them."

Klock says two city officials then went to the county commission to complain. He says the locks were changed on his office at city hall, his position was suspended, and he was subsequently charged with criminal syndicalism and official misconduct. The criminal syndicalism charges were dismissed. He now stands charged with three felony check-writing offenses for submitting the Schweitzer drafts.

Since they are backed by liens, Klock says the documents are no more or less legal than an IRS lien. "If the IRS considers theirs' legal, then these other ones must be legal. They [IRS] will send you a bill that says you owe $6,000 in back taxes, for example, and if you don't respond, they assume that you owe it. Eventually they will file a lien against you. If the IRS can legally do this, it seems like if they can do it, it should be legal for anyone else to do it. I believe the IRS is using the same UCC enforcement mechanisms."

Furthermore, if the money orders are in fact illegal, Klock said, "In this age of electronic banking, how did any of them ever get cashed?"

Klock, a local businessman who owns an IGA grocery store in Cascade (population 750), said he still has not determined whether the instruments he submitted for his bond are actually worthless. The state of Montana will have to prove Klock was aware the money orders were fraudulent before he can be charged with the offense. He faces 10 years for each count of felony check writing, and has a July court date. Klock is suing city and county officials for defamation and slander, and loss of business because of the case. He has also sent a Freeman-style common law "true bill" to the county attorney with a notice that he intends to put a $100 million dollar lien against him and his office.

**"Offshore Conversion"**

Patriot community leaders suggest that Americans are putting liens against banks, companies and government entities and employees as a simple and effective means to redress grievances. Literally billions of dollars in liens have been filed in the past few years.

Liens apparently are also ending up in the portfolios of foreign governments. Unlike banks in the United States, the intrinsic value of American-generated liens is not disputed by most countries, many of which are buying them up as they would any other form of commercial paper.

Holland claims the offshore sale of this paper has become a cottage industry in the United States. And according to Michael Overturf of Burbank, Calif., who acts as an intermediary between citizens and offshore interests and manages a "portfolio" he claims is worth more than $10 billion, the process of liquidating the liens is relatively simple, and lawful.

"First of all, I am acting under good faith that these lien documents are valid and real. Now, let's say for example that there is a Third World country that owes debt to the United States government. They can rent or lease a commercial lien from us, and use it to increase and enhance their asset base, allowing them to loan money to people in their country to do projects," Overturf said.

"Now if they purchase the lien outright," he continued, "they can also go to the U.S. and say they want to apply this lien against their debt. They can also create letters of credit, or they can borrow more money from the Treasury of the United States of America, because they have increased their asset base."

Although he works only on a referral basis and does not solicit business, Overturf says he facilitates the transfer of the liens for a percentage based commission.

"An offshore bank can add these liens to their portfolio, and they actually become part of their assets," he said. "When they loan money or credits to their clientele, they are loaning from a credit base calculated from their asset base. They are using the lien as an asset and 'consideration of a contract.' In the U.S. there is no such consideration on a contract. The Federal Reserve system and the national banks create their money out of thin air, because they don't have gold or silver or any other asset to back their loans with. Therefore, there is no consideration on the national banks in the United States, which is why the liens are usually liquidated offshore."

Eugene Schroder, a respected authority on constitutional law and the U.S. monetary system, argues that the liens and drafts are just as legal as those created by the Federal Reserve. "The federal government, since March the 9th, 1933, has been writing mortgages and liens on the American people, and then depositing those liens into their bank, which is the Federal Reserve. Then, they have been writing checks on those liens. They have been doing this for 63 years, and the freeman are writing liens on the government agencies and depositing those liens in their own bank, and writing checks on the government. If one is unlawful, they both are unlawful."

Whether such arguments will hold any weight in a Montana federal district court remains to be seen.

# NEW JERSEY MILITIA NEWSLETTER

Volume 1/Issue No. 9 | A monthly newsletter | March, 1996

All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

--Article I, Section 1, New Jersey State Constitution

## BYE-BYE POSSE COMITATUS

The Posse Comitatus Act (United States Code 18, Section 1385) states:

*"Whoever, except in cases and under circumstances expressly authorized by he Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than two years, or both."*

Accordingly it is illegal to use the U.S. Military against American citizens. But what if members of law enforcement, inside the Department of Justice, are given full military training and equipment by the Department of Defense to fight crime? The "letter" of the Posse Comitatus Act may not be violated, but the "spirit" unquestionably is. As Shakespeare once said: *"What's in a name? that which we call a rose by any other name would smell as sweet."* There's nothing sweet about a new agreement between the Department of Justice and the Department of Defense called the 'Memorandum of Understanding', a phrase George Orwell would have called *'newspeak'*. (Newspeak, vocabulary B: *"The B vocabulary consisted of words which had been deliberately constructed for political purposes: words, that is to say, which not only had in every case a political implication, but were intended to impose a desirable mental attitude upon the person using them."* And: *"Its vocabulary was so constructed as to give exact and often subtle expression to every meaning that a Party member could properly wish to express..."*)

The Department of Justice and Department of Defense have, as of April 20, 1994, joined forces. On this date the 'Memorandum of Understanding' was finalized and signed by Attorney General Janet Reno for the Justice Department and Dr. John Deutch for the Defense Department. The signing was presided over by Vice President Al Gore.

Dr. Anita K. Jones, Director of Defense Research and Engineering, announced the merger to the Committee on Research and Technology. She said, *"The alliance between the Department of Defense and the Department of Justice will allow us to jointly develop technologies to solve problems common to the military and law enforcement communities. Although there is a long history of making DOD-developed technologies available to the Department of Justice, we are formalizing that process to make it much more efficient. It is imperative to do this well, since these technologies can provide new and dramatically effective capabilities to the law enforcement community."*

Dr. Jones went on to say: *"...a joint program with the Department of Justice that develops and transitions technologies that will enable major advances in both the Defense Department's ability to conduct military operations other than war, such as peace keeping, and also to help enable the Justice Department to better fight crime in America."* And: *"But there is also an important motivation for our alliance with the Department of Justice. It is called Operations Other Than War. Operations Other Than War includes peacekeeping, humanitarian aid, and other actions conducted short of war."*

Basically, the Memorandum of Understanding will give members of law enforcement full military training and equipment, making law enforcement virtually indistinguishable form an elite military force. They're called *"21st Century Land Warriors"* now, (someone in Washington has watched too many Arnold Schwarzenegger movies.) To paraphrase Shakespeare: 'An elite military force, by any other name, is still an elite military force.'

## NEW WORLD ORDER UPDATE

The Provisional World Parliament will be holding their fourth session at the Congress Center of Innsbruck, Austria from June 26 to July 5, 1996.

The arrogance, the hubris, of these people defies comprehension. After reading what their goals and objectives are you're left with the impression that God took a vacation and left this group in charge. Their opening proclamation states: *"After nearly 11,000 years of slow and hazardous development of civilization, since the emergence of Homo Sapiens from the rigors of the ice last age, with a 500-year climax of amazing scientific and cultural accomplishments, mixed together with stupendous political, technological and environmental blunders, all is about to be lost either by wars or the poisons of war, or by making the environment hostile to life and the consequent starvation of most people during the climatic upsets of possible descent into a new ice age."* They also describe national sovereignty as an *"obsolete precept,"* the United Nations as *"mostly hopeless"* and the only remedy is to *"completely replace the U.N. Charter with a new constitution for Federal World Government."*

Just who elected this organization to speak for all mankind remains a mystery. If a Christian organization made a claim for a 'World Christian Government' the liberals would scream like raped apes.

Other goals include:

"All weapons of mass destruction, both large and small, are put under the control of the World Disarmament Agency, for the

*security or liberty cannot exist."* It must be noted, that the vast majority of Americans do not hold their property in allodium, but are mere tenants upon government land.

We find that the law of our land, the Constitution and its Bill of Rights, have been trampled upon and pushed aside for the ever increasing and encroaching government through executive orders.

The expanding role of the United Nations in our country through the training of its troops on our soil, to the deployment of U.S. troops under its direction (State Department Document 7277) spanning the globe, to the controlling of U.S. lands, for example, The Pine Lands, etc.

The branding of the American people as if they were cattle with a social security number.

The unlawful laws against our Second Amendment which is bringing about its destruction.

H.R. 666 which furthers the erosion of the Fourth Amendment.

The absence of our Tenth Amendment which in turn allows the Federal Government to assume authority over the states and the people.

Through the unconstitutional "Clean Air Act", the government is using different methods of reducing or perhaps terminating the mobility of the people. Such laws are the "Employer Trip Reduction" and SCS 1700 which is vehicle confiscation.

The incorporating of the ten planks of the Communist Manifesto into our system.

In brevity, we find this unconstitutional system, (defacto) (which Congressman Beck alluded to in 1933, which is found in the congressional records, when he stated"...It means that when Congress declares an emergency, there is no Constitution"), imposing upon the people more tyranny that Jefferson explained in the unanimous declaration against the King.

We are waiting for your reply concerning the status of the people.

With respect,
Earl G. Dickey

# THE STORY OF THE BUCK ACT

**By Richard J. McDonald**

In order for you to understand the full import of the destruction of freedom, I must explain the laws to you.

In order for the Federal Government to tax a citizen of one of the several states, it had to create a contractual nexus. This contractual nexus is called "Social Security Numbers". The Federal government always does everything under color of law.

In 1935, Congress passed the Social Security Act. The Social Security Board created 10 Social Security Districts, or a federal area which covered the 48 states like an overlay.

The federal government instituted the "Public Salary Tax Act of 1939", which is a municipal law of the District of Columbia, taxing all Federal and State government employees and those who live and work in any "Federal area."

Now, the government knows it cannot tax those citizens who live and work outside the territorial jurisdiction of Article I, Section 8, Clause 17, (Washington D.C., Federal Forts, etc.) or Article IV, Section 3, Clause 2, (Territories). So in 1940, Congress passed the "Buck Act" 4 U.S.C.S. 104-113. In Section 110(e), this Act allowed any department of the federal government to create a "Federal Area" for imposition of the Public Salary Tax Act of 1939. The imposition of this tax is at 4 U.S.C.S. 111, and the rest of the taxing law is in Title 26, The Internal Revenue Code. The Social Security Board had already created an overlay of a "Federal Area".

4 U.S.C.S. 110(d). *"The term 'State' includes any Territory or possession of the United States."*

4 U.S.C.S. 110(e). *"The term Federal area means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; any federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State."*

There is no reasonable doubt that the federal "State" is imposing directly a excise tax under the provisions of 4 U.S.C.S Section 105 which states in pertinent part:

*105. State and so forth, taxation affecting Federal areas; sales and use tax (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such tax, on the ground that the sale or use, with respect to which tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area, within such State to the same extent and with the same effect as though such area was not a Federal area."*

*"Irrespective of what tax is called by state law, if its purpose is to produce revenue, it is an income tax or receipts tax Under Buck Act* [4 U.S.C.S. 105-110]." Humble Oil and Refining Co. v. Calvert (1971) 464 SW 2d. 170 affd (Tex) 478 SW 2d. 926, cert. den. 409 US 967, 34 L. Ed2d. 234, 93 S.Ct. 293.

Thus, the question comes up, what is a "Federal area"? A "Federal area" is any area designated by any agency, department, or establishment of the federal government. This includes the Social Security areas designated by the Social Security Administration, any public housing area that has federal funding, a home that has a federal bank loan, a road that has federal funding, and almost everything that the federal government touches through any type of aid. Springfield v. Kenny, (1951 App.) 104 NE2d. 65. This "Federal area" attaches to anyone who has a social security number or any personal contact with the federal or state governments. Thus, the federal government has usurped Sovereignty of the People and state Sovereignty by creating these federal areas within the boundaries of the state under the authority of the Federal Constitution, Article IV, Section 3, Clause 2, which states:

*"2. The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."*

Therefore, U.S. citizens [which before the Buck Act were citizens of D.C, Territories] residing in one of the states of the union, are classified as property and franchises of the federal government as an "individual entity" Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773. Under the "Buck Act" 4 U.S.C.S. 105-110, the federal government has created a "Federal area" within the boundaries of all the states. This area is similar to any territory that the federal government acquires through purchase or conquest., thereby imposing federal territorial law upon those in this "Federal area". Under federal territorial law as evidenced by the Executive Branch's yellow fringed U.S. flag flying in schools, offices and all courtrooms.

To be free, you must live on the land in one of the several states of the union of several states, not in any "Federal State" or "Federal Area" nor can you be involved in any activity that would make you subject to "federal laws". You cannot have a valid Social Security Number, a "resident" drivers license, a motor vehicle registered in you name, a "federal" bank account, a Federal Register Account Number relating to individual persons [SSN], Executive Order Number 9397, November 1943, or any other known "contract implied in fact" that would place you within any "federal area" and thus, within the territorial jurisdiction of the municipal laws of Congress. Remember, all acts of congress are territorial in nature, and only apply within the territorial jurisdiction of Congress, (See American Banana Co. v. U.S. Fruit Co., (1909) 213 U.S. 347; U.S. v. Spear, (1949) 338 U.S. 217; N.Y. Central R.R. Co. v. Chisholm, (1925) 268 U.S. 29.

There has been created a fictional Federal "state within a state" Howard v. Commissioners of Sinking Fund, 344 U.S. 624, 73 S.Ct. 465.

19**. Baugh's partner committed suicide on February 8, 1994.

**Herschell Friday**---A member of the Clinton presidential campaign's finance committee. Friday died in an airplane explosion on March 1, 1994.

**Ronald Rogers**---Rogers died March 3, 1994, just before he planned to release sensitive information to a London newspaper. The cause of his death is undetermined.

**Kathy Ferguson**---Ferguson, a hospital worker, was the ex-wife of Arkansas trooper Danny Ferguson, a co-defendant in the Paula Jones sexual harassment lawsuit against Bill Clinton. She reportedly had information supporting Jones' allegations. Ferguson died, an apparent suicide, on May 1, 1994, from a gunshot wound to the head.

**Bill Shelton**---Shelton was an Arkansas police officer. He was found dead on June 12, 1994, with a gunshot wound in the back of the head. Declared a suicide, Shelton's body was lying across the grave of Kathy Ferguson, his girl friend.

**Stanley Huggins**---Huggins was a principal in a Memphis law firm and had headed a 1987 investigation into the loan practices of Madison Guaranty. He died in Delaware this past July, reportedly form viral pneumonia.

**Calvin Walraven**---Walraven was a key witness against Jocelyn Elder's son Kevin in his drug case. He was found dead in his apartment with a gunshot wound to the head. Tim Hoover, a police spokesman from Little Rock, said that no foul play was suspected.

*(Note: There haven't been this many corpses surrounding a U.S. President since Grant was at Shiloh—Ed.)*

## WHAT IS THE COMMON LAW?

The Common Law is the Law of Common Sense, Common Opinion, Common Reason and Common Justice.

"The United States adopted the Common Laws of England with the Constitution."
Caldwell v. Hill, 176 S.E. 383 (1934)

"Law of the Land means the Common Law."
Taylor v. Porter, 4 Hill, 140, 146.
State v. Simon, 2 Spears, 761, 767.

The Common Law is rooted in the Magna Carta (signed by King John in 1215) and is considered as a first Constitution for the Natural, God-given Rights of all people. It limited the powers of the King and guaranteed Liberties for the citizens. It is based on ideals rather than rules. It does not rely on rigid statutes which are public servant made laws, mandates, ordinances and regulations of public servant created agencies.

Under the Common Law, there is no crime unless there is a victim. There must be an injured party. Under the Common Law an American Citizen is free to conduct his affairs according to his own conscience as long as he keeps his voluntary, intentional agreements and contract and does not violate the rights of others.

The Common Law is the will of the people. The **Civil Law** is the will of the Public Servant, such as Codes, Regulations, Licenses, Permits, Statutes and Zoning. **Civil laws are established for the purpose of REGULATING the People, levying fees and establishing penalties for noncompliance, which is Constitutionally unlawful and against the Law of the Land. Civil Law is not concerned with Morality and Justice.**

At the Nuremberg trials, Nazi defendants claimed innocence, on the grounds that they were under orders and obeying Germany's laws. The prosecution argued that, ***"There is a higher law than any government can impose on us"***. The Judges agreed, stating that the fact that the defendants acted on orders from a superior or his government, ***"shall not free him from responsibility."*** In that lawful decision, the Court agreed that a Higher Law exists that is ABOVE the Government. The Nazi defendants had broken the laws which the Declaration of Independence defines as the "Laws of Nature and of Nature's God" that is, the "Laws of Morality and Reason" and therefore, the Nazi defendants were executed.

The Common Law has only Two solid principles upon which ALL LAW is based:

(1) Do not encroach upon the Rights or property of others.

(2) Keep all contracts and agreements that you enter into Knowingly, Voluntarily and Intentionally.

All other law is contrary to the Constitution and the Common Law that violates our Bill of Rights.

---Reprinted from The Wallkill Journal
Vol. 7, No. 14

## RADIO SHACK GOES ANTI-SECOND AMENDMENT

Your friendly, neighborhood Radio Shack store has taken a not so friendly position on the Second Amendment. A pamphlet, sponsored by the National Crime Prevention Council, the National Sheriff's Association and Radio Shack entitled **"How Can I Help Stop The Violence"**, was distributed to all Radio Shack stores from the Tandy Corporation with the following message:

***Launch a public education campaign to raise awareness of the dangers of firearms and the risks of keeping a gun in the home.**

*** Report stolen weapons and carry and use violations to the police or sheriff's department.**

***Ask local officials to advocate a variety of ways to prevent handgun violence such as increasing local regulations of those with Federal Firearms Licenses, consumer-protection regulations governing manufacture, taxes on ammunition, bans on assault weapons, gun turn-in day, and liability legislation.**

The Proponent, (Vol. 8, No. 1) reported that Apple Computer has also gotten into the act by running an ad during the Monday Night Football game of Dec. 18, 1996. The ad depicted children from all over the world saying what they would do to make the world a better place. One said that they would throw away all guns.

If you would care to contact Tandy or Apple to express your opinion you can reach them at:

Tandy Corporation
Chairman John V. Roach
One Tandy Center
Ft. Worth, Texas 76102
Ph: 817-390-3700
Fax: 817-390-2774

Apple Computer, Inc.
Chairman Mark Markkula
20525 Mariani Drive
Cupertino, CA 95014
Ph: 408-996-1010

## LETTERS TO THE EDITOR

Editor NJM,

Our country is being stolen from us. Major chunks of the rights guaranteed to us in the Constitution are disappearing. Powers vested in us, the people, are being usurped by our so called leaders.

Congress, the President of the United States, and even elements of the judiciary are acting to overthrow the properly constituted government of this nation.

State and local governments, with the assistance of elected and appointed law enforcement officers, are joining in the efforts to rob you and me of the last remnants of our Constitutional liberties, and whether this amounts to a deliberate conspiracy, or merely is the result of incompetence and failures of reasoning, is anyone's guess.

Four things seem obvious to me, but perhaps I should take a moment to enumerate them.

First: the sovereign power in this nation is properly vested in the people. Elected members of the government are our hired hands and are responsible to us.

Second: the law which everyone of these hired hands is sworn to uphold is the Constitution of the United States.

# United Sovereigns of America

***"You shall know the truth, and the truth shall make you free."***

S.N. KINSELLA

**Private Directors**

Jerry Henson
Dennis Smith
Darrell Prech
Eugene Schroeder
Greg Paulson
Wayne Gumwall
Dave Schechter
Ronn Jackson

The United States of America: (1) has the most extraordinary and envied constitutional intent in the world, (2) is still the greatest nation in the world, and (3) offers unlimited opportunity to those who truly want it.

However, in the past, and presently, a few of our leaders have ignored and twisted the intent of our constitution, caused many of our rights freely given to become "privileges" for which we must pay. Do you believe that the intent of the Founding Fathers who wrote our constitution is being attacked, and that we, the citizens of America are losing our freedoms? Remember, we lose our freedoms through excessive taxation, as well as by statute and subversion. If we are losing our freedoms, why is it happening ? How is it happening? And most of all, what can we do about it?

We The People have become complacent and ignored our duty to demand compliance with the true intent of the constitution by our lawmakers. We must get busy and restore our nation and government "of the people", "by the people", and "for the people".

We The People, my friend, are you and I and our children, our friends, our neighbors, and anyone else regardless of race, gender, or religion, who is at risk from a government running out of control. To find out what is going on and what you can do about it, acquire alternative sources of information. Why? Because you are not going to hear on TV or read in most newspapers everything you properly should be aware of. How else do you explain the deterioration of some of America's qualities before your very eyes with no one telling you why? There are people trying to tell you why, and the reasons are simple, understandable and fixable. All you need is information.

This Common Law Seminar will help us to save America from slavery. Once you understand the problem, consider solutions offered by others; then decide what you think is right, and take action you believe in your heart to be correct. If you do not understand the problem and fail to educate yourself, or if you do understand the problem and don't take any action, you are a part of that problem. The things that will destroy us are: politics without principle; pleasure without conscience; wealth without work; knowledge without character; business without morality; science without humanity; worship with sacrifice.

Significance of the Constitutional Common Law Court - you have the freedom to choose any court in the Country to resolve any civil or criminal dispute. The constitutional court is your court. You do not have to pay an admission fee to a Common Law Court of original jurisdiction, seeking relief and remedy for their grievances. One court can settle all disputes. Anyone can present his own complaint or defense with the assistance of counsel of his choice.

The Common Law Court is not an adversarial court. The petitioner and the respondent will be afforded all of the secured rights pursuant to the Constitution of the (u)nited States of America and the Bill of Rights. The Constitutional Common Law Court is supported by donations and by true patriots giving their time and service in providing equal access to the court for all Common Law sovereign Americans who want to see true justice prevail.

Structure and Function of the Court - all participants of the Constitutional Court shall be fully informed of the Constitution of the united States of America and the Bill of Rights and have a duty and responsibility to preserve, protect, defend, support, and uphold the Constitution and the rights of all Litigents appearing before the Common Law Court and will serve the court in the best interest of the People to insure Life, Liberty, Property and the Pursuit of Happiness guaranteed by the Constitution.

**Sovereignty Is A Right**

Jerry Henson

**Jerry Henson**

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# The Code of United Sovereigns of America and the Common Law Courts of the United States of America.

Our code is tentative and preliminary. Your comments and suggestions for improvement will be appreciated.

(1) Free Sovereign Citizens own their own lives, minds, bodies, and labor, and may do with them anything that doesn't violate the equal rights of others. This principle of individual sovereignty or self-ownership is the foundation for all legitimate property.

(2) Free Sovereign Citizens have the right to own property, which consists of all possessions acquired without coercing others. They respect the equal right of others to own property, which forms the basis for productive and cooperative human relationships.

(3) No individual, group, or majority has the right to initiate or threaten force, fraud, violence, or theft against Free Sovereign Citizens or their property.

(4) Free Sovereign Citizens have a right to choose whether to communicate or associate with others. These rights of speech and privacy follow directly from the principle of individual sovereignty or self-ownership.

(5) Free Sovereign Citizens have the right to associate with others and to enter into agreements and contracts. For a contract between Free Sovereign Citizens to be valid, it needs to be entered into knowingly, voluntarily, and intentionally.

(6) Free Sovereign Citizens have the right to produce and exchange property, and to own the products of their labor and thought. No individual, group, or majority has a right to the labor, ideas, production, or property of a Free Sovereign Citizen, or any part thereof, without prior consent or agreement.

(7) Free Sovereign Citizens have the right to defend and protect themselves and their property against coercive aggression, and to contract with others to assist them. The authority of voluntarily-chosen agents to defend or protect Citizens and/or their property is strictly limited to that defense or protection.

(8) Free Sovereign Citizens consider a crime to occur only when there is a damaged person or property. Therefore, there is no such thing as a "victimless crime," and no Free Sovereign Citizen can commit a crime simply by disobeying the arbitrary rules of tyrants or coercive organizations.

(9) To be legitimate, courts and trials must be based on voluntary association and agreement, rather than on coercion. However, anyone who infringes on the person or property of another may be subject to a requirement for restitution by the damaged person.

(10) Free Sovereign Citizens recognize that social order and cooperation develop spontaneously in the absence of coercion. They also recognize that leadership by example and productive effort is more beneficial than leadership by force, violence, compulsion, or fear.

(11) The principles stated in this Code apply to all Free Sovereign Citizens without regard to age, race, religion, philosophy, background, birthplace, geographic location, gender, or sexual preference.

(12) For a right to be valid its exercise may not impose a positive obligation on another; it only depends on others not taking coercive actions. Free Sovereign Citizens respect the equal rights of other Citizens, and therefore do not expect others to contribute to their interests, except through voluntary transactions or contributions.

## Introduction to Free Enterprise

Many people have been led to believe that the U.S. and other countries in the "free West" are "free countries" and that their economies are based on "free enterprise" or "capitalism." Nothing could be further from the truth. Three basic principles characterize capitalism or free enterprise:

(a) Private property — the inalienable right to own private property;

(b) Voluntary exchange — no transactions forced on anyone;

(c) The right to contract — supposedly guaranteed by the U.S. Constitution.

For Pennsylvania Information contact:

Our One Supreme Court

Clerk of Court

c/o PO Box 211

Bowmansville, Pennsylvania

non-domestic 17506

WHAT IS COMMON LAW

Two hundred twenty years ago , when two people had a difference of opinion, they took their dispute to a common-law court. Or – when a harm or an injury occurred to a person through the actions of another, a common-law jury was established to determine the degree of the injury or how to provide justice to the injured party. Do we need to go back to the system that our forefathers used to settle a disagreement or deciding on damages for an injured party? why can't we have local people talking about a local problem with their neighbors – perhaps using a jury of their peers? This approach is protected by the Constitution of the united States of America.

Such common law courts have never been disbanded and can exist today – even though most people go to the professional side of the law to settle a dispute and to defend their property.

Why and how have we gotten ourselves into a massive judicial structure that is cumbersome, slow, and expensive.

Over the years, administrative courts moved into position to hear our disputes. . Admiralty law (the law of the Sea) was moved inland, inside the tide line on the shore, to adjudicate contracts that the people had unwittingly been lured into. The people were (are) saddled with implied contracts, adhesion contracts, that deprived these people of their freedom. Rights are ignored.

People no longer understand that they have a sovereign right to travel in their conveyances on the public roads to carry out their private pursuits and business. People apply for privileges – they are not asserting their rights. People are told that the Federal government makes laws for the states –not that the states right come before Federal rights. People are not told that they are SOVEREIGN, that they come before government. They are misled to believe that government is omnipotent, not the people. They are hailed into courts that are dominated by a gold-fringed flag, a court where the judge states that s/he will determine the law and that trial by jury is passe.

Across America, the people's scholars are resurrecting the common-law courts. They are studying the conflicts between the law, justice and freedom. They are holding seminars to explain the differences between the various kinds of courts. They are reestablishing the people's courts – the same courts that existed two hundred twenty years ago. An accused party is brought into the common-law court to face the accuser. Each tells their side of the circumstances to a jury of their peers. A jury that will decide both the facts and the law of the (situation)(dispute) . (this is not well described–needs your kind touch)

Their peers come from their community, this establishes the venue.

The Court is convened, by a call from the clerk, in a convenient meeting place, not necessarily a court building. There is an American flag on display – but not a gold-fringed American flag which denotes an Admiralty court.

The Clerk-of-the-court, Notary, Justice and Constable are selected by a consensus of the people present.

The court Clerk keeps the records, decisions, notifies other courts by Letters Rogatary.

The Notary seals the decisions, attests to copies made for distribution.

The Justice presents the actions to the jury, provides jury instructions, and receives the decisions of the jury.

The Constable maintains decorum in the court, calls accused and accuser when their case is to be heard.

The 12 man jury is selected by consensus of the people from the volunteers who are present. A foreman is selected by the jury. A juror may be removed by either the accused or accuser and replaced by another volunteer.

Can the common law court protect our freedoms? Can the common law court protect our property?

Common law court not designed to (destroy) (overthrow) government

Not to be a negative and destructive factor

See July 95, Reader's Digest - page 94 SEDUCED IN THE SUPERMARKET – the use of the package in the selling of the product