

<http://www.sodahead.com/blog/27077/allodial-titles-land-patents/>

## Allodial Titles & Land Patents

Today, for the first time in my life I heard the term "allodial title." Well what the crap is that? I had no idea until I just did a search on it and I found the blog entry posted below. If you feel that this article has missed a point or is false in anyway please post a comment about it. This is something new I am learning about and would love to hear another perspective on the topic.

### [Allodial Titles & Land Patents](#)

**We the People have the unalienable right in a free republic of American Nationals and/or sovereign "state" Citizens to acquire, utilize and "own" property. We the People have the unalienable right to have and hold that property free and clear of government liens and encumbrances. These rights have NOT been abridged, although they have come under attack by the government and the principles/creditors controlling it.**

But We the People must understand not only our rights, but how to acquire, utilize and "own" property as it was intended by our founding fathers and guaranteed in the united states of America. We the People must understand not only the nature of money, but the political, economic and legal systems to be able to claim our rights to acquire and "own" land. You cannot trust the government, the corporations, the media or the educational system to educate you, or fully disclose honest information about your property rights.

One of the major motivators of the first American Revolution was the issue of allodial rights to land, free and clear of the liens and encumbrances of the King of England. The American people desired to acquire, utilize and "own" their own land without interference from any government, including the government of the united states of America.

As a result of generations of constructive fraud perpetuated against the American people, and the peoples of the world, we've been conned into believing we are "owning" property, when in fact, and by law, we're only in "possession" of property utilizing it as a renter or tenant would. So long as we pay our rent (i.e., mortgages), get the licenses, pay the fees, have it insured, regulated, zoned and permitted, we can still remain in "possession."

But as soon as we exercise what we believe is our sovereign right to do as we please with our private property, providing we don't damage or injure another or their property, we often get slam-dunked by a fine, eviction or foreclosure. We must learn about allodial titles, land patents, deeds and conveyances to reassert our sovereign right to private property.

An allodial title was bestowed, by law, upon the land with unalienability forever. No government, agency, bank or other sovereign power could place any lien, attachment or encumbrance on land held in an allodial state. An allodial title is derived from the original, federal land patent. "Land Patents" are

still today the highest evidence of title and have never been refuted by any court of competent jurisdiction. (42)

All federal "Land Patents" flow from the treaty (e.g. The Oregon Treaty, 9 Stat. 869, 6/15/1846), therefore no state, private banking corporation or other federal agency can effectively challenge the superiority of title to land holders who have "perfected" their land patent. With an updated land patent brought forward in "Your Name" you can hold the rights and title to land as a sovereign, "state" Citizen. Be very clear that this is distinct from the equitable interest, title and deed. (43) Property tax attaches to the equitable title and interest in the property and real estate through a hidden federal lien. If the property and real estate is recorded with a deed (i.e., Trust Deed, Warranty Deed, Quit Claim Deed) at the County Records office, then it's trust property executed and managed by the legal owners < the County, State and federal United States government corporation, and it's principals/creditors.

Thus they are the legal owners of the recorded property and real estate, and they can require you (i.e., the tenant) to get building permits, abide by zoning restrictions and other statutory regulations including environmental laws because it's NOT your property or real estate. Most Americans are simply glorified "tenants" on what they erroneously believe is "their" property and real estate. Wake up America!

The original "letters of patent" were from the King of England. There is a record of these "Land Patents" in the state archives and county courthouses. Under English land law all realty (i.e., real estate) was owned by the sovereign, and from the crown all titles (both lawful and equitable) flow.

"All federal land patents flow from treaty rights and hold superior title to land."

After the Declaration of Independence (1776), the American Revolution, and the Treaty of Peace with Great Britain (1783), the American people became complete, sovereign freeholders in the land with the same prerogative as the King. The King had no further claim to the land and could not tax or otherwise encumber it. (41)

The "Land Patent" is the only evidence of title to land. Land Patents are derived from the treaties and enabling acts of congress under the signature of the president of the United States when each state entered the Union. Land Patents are stare decisis (i.e., res judicata). It is already well settled law and decided. [Editor's Note: See Suma Corp. supra ; Wine Vs. Gastrell, 54 Fed 819; U.S. Appeal 581]

For example, railroad land granted and patented in the late 1800's is still " sovereign" today. Building codes and local zoning ordinances do not apply to railroad property.(44) Railroad patents were also issued by a special act of congress (Railroad Grant Acts) granting alternating sections of land in each township. They are still the largest land owner in America.

#### UNAPPROPRIATED LANDS = LANDS NOT PATENTED

During the times of the Articles of Confederation, the sovereign state republics wouldn't appropriate any lands to the federal government. They didn't want to relinquish any of their sovereignty to the new government. Finally, the states relented and unappropriated lands were given to the federal government to distribute to the people on the condition that they would grant full allodial title. A "Land Patent Office" was established to distribute these unappropriated land by grant to the people.

STATE HAS NO AUTHORITY OVER THE LAND;

## RIGHT AND TITLE HELD BY THE UNITED STATES

All right and title to the unappropriated land was held to the disposition of the United States government to be granted (not sold) to the people. This is how land comes to the people. In the enabling acts, each state republic agreed and declared they would give up all right and title to land. The state has no authority over the land. Except for Texas which never gave up its lands (State Patent Office) or military (i.e., Texas Rangers) to the federal government. It's still a free and independent sovereign state. The federal United States government became the trustees with a power of attorney over the dispersement of land to the people.

"Land Patents are issued (and theoretically passed) between sovereigns. Deeds are executed by persons' and private corporations without these sovereign powers."

Through various acts of congress, land was made available for granting (not selling), and the American people became the recipients of those land grants. Land Patents are the first conveyance of title ownership to land. One of the earliest laws for granting Land Patents was passed by Congress on April 24, 1820.

It was also how the American people qualified to become sovereign "state" Citizens and electors in their respective state republics. Landowners are the only authority in the united states of America with the power to elect public officers of the government at every level, county, state and federal.

This whole system of granting land worked well until the western state republics entering the post-Civil War Union surrendered unappropriated lands to the federal United States government that did not get distributed to the people. Large portions of the west were not distributed to the people, but held as "federal land" or distributed to the states. This was a flagrant violation of the principles upon which America was founded.

So who has all the land in America? If the state doesn't have any authority over land, and the federal United States government corporation can't own land, then who has the land?

We the People still have all the land in America! The land is still ours. It hasn't gone anywhere. The rights and titles haven't been bought or sold. They are not for sale. By the law of the land, We the People are still holding the right and titles to every square inch of land in the united states of America. We the People must reclaim what is ours (and let's return the better half of it back to the native Americans).

## LAND IS GRANTED, NOT BOUGHT & SOLD

What has been bought and sold is the "real estate," the equitable interest to property, to the buildings, improvements, equipment that occupies the space above the land, not the land itself. This is evidenced in the land patent itself, even in the deeds and title insurance contracts. Title insurance excludes coverage for the Land Patent. They cannot and will not insure you against a claim for the right and title to the land itself. The warranty deed grants (not sells) the land, and sells the property or real estate. The United States government corporation may not own any land, but it does have equitable interest in lots of "real estate."

## REAL ESTATE VS. LAND

You cannot buy land. You cannot sell land. As a sovereign "state" Citizen it's yours, inherent since the original thirteen colonies formed the united states of America, and each additional state republic entered the Union. Full payment is already made in the Land Patent and all subsequent assignments.

The registration and fees in the securing of a Land Patent were paid to the Surveyor General (\$1.25 acre or \$2.25 acre for a mining claim). This was NOT the purchase of land. The land patent speaks plainly, "...to give and grant (not sell) unto "Your Name" and his heirs and assigns forever." To grant is to give freely, not to purchase.

## RIGHT & TITLE IS CONVEYED BY ASSIGNMENT

All right and title to land is conveyed by assignment, gift or grant directly from a Land Patent. Land Patent rights flow from the treaty and enabling acts via power of attorney to an individual landholder who in turn gives, grants and assigns the land patents to his/her heirs.

Freehold (i.e., allodial) land is beholden to no one. Possession is still 9/10th of the law. Caveat emptor < buyer beware. You have seven years to perfect a claim against land. If notice is duly given and no one contests your claim, it's yours after seven years. That's the "fistful of dirt" doctrine. Permission to grow your own crops as a tenant is in effect an assignment by the landowner, if you claim it.

HEREDITAMENT = INHERITANCE = HEIR APPARENT > APPURTANANCES < that which belongs to something else, an adjunct or appendage; that which passes as incidenta, as a right of way or other easement to land.

We've been selling property, real estate and equitable interest for generations and abandoning the rights and title to land. Rights and title to land is well established in law. All you need to do in law is to prove that " Your Name" is a heir or assign to the original Land Patent.

The original Land Patent Office is now the Bureau of Land Management (BLM) which consisted of government land officers. Records of the original Land Patents are kept there. Perfecting an allodial title requires updating the original land patent and rewriting the legal description for the land in metes and bounds < the measurements of the original Surveyor General.

Research the abstracts of title, make a claim, and bring the title forward minus any exclusions (i.e., easements). Update and record your Land Patent in the "Great Book" at the County Recorder's office. Because bringing forth the true title is pursuant to the Common law, you must be a sovereign " state" Citizen to claim the rights and title to land. This is distinct from any actions relating to the equitable title, and any liens or encumbrances attached thereof.

Land Patent Process 1) update the original Land Patent with the legal description for your parcel in metes and bounds.

2) research the abstract of titles, make a claim as a heir or assign, and bring the title forward minus any exclusions.

3) re-record the updated Land Patent at the County Recorder's office in the " Great Book."

## UPDATE THE LAND PATENT AS A HEIR OR ASSIGN

## Federal Liens and Property Taxes

In the de jure united states of America and under the Common law, the land patent is the highest evidence of title for the sovereign American "state" Citizen, evidence of allodial title and true ownership. But in a bankrupt and de facto federal United States inhabited by U.S. citizens and directed by its creditors under Admiralty law, the Land Patent is collateral hypothecated against the debt which has been fraudulently transferred to the international bankers.

There is a hidden federal lien on all property and real estate in the federal United States because of the federal debt to the International Monetary Fund. This federal lien is NOT attached to the land, but to the property and real estate situated above the land. It is assessed and collected through the property tax. [Editor's Note: Eric Madsen asserts the " real estate" of the united states of America was quit claim deeded to the International Monetary Fund (IMF) by the last sitting U.S. Supreme Court in 1944 as their last action. The rights and title to land still belongs with We the People.]

## RELEASE THE LIENS ON EQUITABLE TITLE

Discover how much federal debt is attached to your property and real estate by writing the Department of the Interior and requesting an accounting of what portion of the federal debt is attached to your property. To motivate them, tell them you want to pay off the debt in full. Borrow the FRN's if necessary to discharge the debt in full, OR offer to "pay" the debt in full with gold/silver (they will refuse to accept).

Now, you can sue the title insurance company for treble damages for not revealing the hidden federal lien when you purchased the property and real estate in the first place. They failed to perform on their end of the contract. They will likely settle out of court.

This lien must be satisfied, paid or released to own equitable title to your property and real estate free and clear, as well as any outstanding bank mortgages. Then notify the County Tax Assessor that the taxes (i.e., liens) have been satisfied in full, so please take us off the tax rolls forever.

## Lien and Debt Release Process

- 1) there's a federal lien on all property and real estate.
- 2) discover how much debt is attached to your property.
- 3) borrow the FRN's if necessary to discharge the debt in full, OR "pay" the debt in full with gold/silver (they will refuse to accept).
- 4) sue the title insurance company for treble damages for not revealing the federal lien when you purchased the property and real estate in the first place.
- 5) notify the County Tax Assessor that the property tax has been paid in full - send no more bills.

## DEED IS A TRUST INSTRUMENT

## Deeds & Conveyances

The deed is a sales (i.e., trust) instrument. If a deed is recorded at the County Recorder's office, then the property or real estate is the trust property of the State. The land, property and real estate must be reconveyed out of the County Recorder's office with a "Quit Claim Deed" from equity to the Common law. Note that NO rights convey or are warranted with a Quit Claim Deed. A "Warranty Deed" does grant the land, admits valuable consideration, bargain, sells and conveys the appurtenances and warrants the performance of the contract. Note the elements of a "Warranty Deed:"

What is a Deed?

- 1) admits valuable consideration a) a thought process b) must have full disclosure c) \$21 of real "money" is evidence of consideration
- 2) grant rights and title a) land is not bought or sold -it's free b) those who do not update the patent have abandoned the right c) must be brought up in your sovereign name
- 3) bargain, sold and conveyed a) equity is fairness b) chattel and other appurtenances c) stuff and improvements on the land is bought
- 4) assignment is responsibility a) must be accepted or admitted
- 5) warrants performance a) will defend this title if contested 6) exclusions a) such as easements, right of ways, assessments, water, minerals. These cannot convey and cannot be warranted.

## RECONVEY EQUITABLE TITLE TO FOREIGN ENTITY

### Economic Sovereignty and Lawful Money

Regarding a Land Patent, you must be a sovereign "state" Citizen free of all legal disabilities to hold title to any land in the united states of America. Furthermore, get yourself out of indebtedness and become economically sovereign as quickly as possible. Then individually, you won't need the loan from a bank. As a sovereign "state" Citizen, you will not qualify for any loan from any bank, but foreign entities through which the property or real estate is purchased can.

Getting a "loan" is not paying for it either because the bank hasn't loaned you any "money." You can purchase the property or real estate even with a purported "loan" providing the loan is not in your name (let a foreign entity or trust purchase the property directly and qualify for the loan).

Rights and title to land does not convey without the tendering of real " money" or "consideration." Consideration is a thought process, and the " money" is evidence of it. If you haven't tendered at least \$21 of gold/silver in the "purchase" of the property or real estate, then it hasn't been bought. Do not place the land in escrow. Do not get title insurance, or use the land as collateral or security against any debt. These are adhesion contracts and remove any true title from the land as a condition of the

contract.

There are no rights or title conveyed on the improvements or buildings on the land, only equitable title and interest. Remember, if the property and real estate is recorded at the County Recorder, then it's a trust property of the State and you simply have the equitable title. A Trust or foreign entity can hold equitable title though, while a sovereign individual makes a claim to the true title. The property and real estate must be reconveyed to a Trust or foreign entity when purchased with a Bill of Sale, but not re-recorded with the County Recorder. In matters of deeds and conveyances, you must be educated and know exactly what you're doing.

## ALLODIAL TITLE -- EQUITABLE TITLE

### Protection From Foreclosures

You protect the land from foreclosure actions by banks, unlawful seizures and forfeitures by the government, and prevent foreclosure by the international bankers when the federal, United States government is officially declared. . ALLODIAL existed in feudal law; land held absolutely in one's own right, and not of any lord or superior; land not subject to feudal duties or burdens. (45)

> MORTGAGE "A mortgage is a commercial lien and doesn't convey an estate or title...A bank has to prove it has title to the land in order to take it over...A title company insures absolutely nothing except the land."

Allodial titles only apply to the land, not the improvements upon the land which can still be attached by a commercial lien, although your creditors cannot walk across the land to seize the improvements without a trespass on the land.

Today, most American people do not "own" their land, not even after they've paid off the "mortgage" and satisfied the bank note. This comes as a surprise, perhaps a shock, to most people. Instead of sovereign, allodial ownership of property as the founding fathers intended, most people have only temporary possession and minimal control over a particular piece of land for so long as they pay the bank note, pay the taxes, submit to building codes and regulations, and the government doesn't condemn or take the land for public use, with or without compensation.

Americans have not yet figured out that they have so little control over what they do on "their" land because they do not own it. The federal United States government maintains the true title in the original land patent which it has pledged as collateral against the federal debt. If you had the true title, the government couldn't utilize your land as a security against the federal debt. Your government and the international bankers via the Federal Reserve Bank has been using your land for it's own purposes, without your knowledge or consent.

Getting a mortgage, and paying a bank note is nothing more than glorified "renting", a qualified and diminished "ownership," and a return to a feudal relationship with the land that the serfs and slaves endured for hundreds of years. Qualified ownership means that the ownership of land is shared (with the government), while absolute ownership is not.

The underlying reason the American Revolution was fought and won was over the right for the

sovereign, state Citizens to own land absolutely, without government encroachment of any kind. The founding fathers abhorred the idea of feudal land and owing allegiance to any foreign, sovereign power.

The American people have unwittingly surrendered their allodial titles and sovereign rights as a condition of every bank contract or mortgage involving the purchase of land or property, or the use of land and property as collateral, and bought with debt currency, money substitutes, checks or other negotiable instruments. You can only "discharge" debt with negotiable instruments. Since you never actually pay for it with lawful money, unless it's with gold or silver, you cannot "own" your land or property either. You are "renting" property with a "rented" debt currency system.

All land not held in allodial title has been hypothecated to the Federal Reserve Bank, as collateral against a federal debt that cannot be paid. As legal "persons," U.S. citizens have no right to "own" land, anymore than corporations or trusts could prior to the 14th Amendment. By defining U.S. citizens as legal persons, a doorway opened for legal "persons" such as corporations and trusts to gain control over land, and take it from the people.

U.S. citizens have entered adhesion contracts with the federal United States government under the 14th Amendment whereby their unalienable rights to own land absolutely in an allodial state, have been reduced to a qualified ownership and "color of title" under the Negotiable Instruments law. In the twentieth century, America has returned to the dark ages of feudalism, its former "state" Citizens having been reduced to tenants and renters once again, not the sovereign owners of their land.

Having an allodial title will not eliminate any debt or mortgage if any is presently attached to your land or property. The allodial title will prevent the creditor from going after your land to collect on the debt if you cannot make a payment for any reason. After having received proper notice, your creditors have 60 days to challenge your "Declaration of Land Patent." If they don't the land reverts to its allodial title. If they do, they must take you to court, and you must demonstrate the superiority of your allodial title. The law is on the side of the sovereign "state" Citizen regarding allodial titles.

If for some reason, you cannot pay your mortgage or default on the loan, instead of a bank foreclosure whereby you lose everything, a land trust might be created whereby you and the bank become "partners" in the property until it's paid. With an allodial title, debts or claims will remain, but the land itself will be forever removed from assets upon which creditors can attach.

Allodial land cannot be foreclosed upon or liened. Debts or claims could be made though on the "improvements," although no "person" could access your property to seize the improvements without trespassing. Land and improvements are still separate and distinctly assessed for taxes. That's why banks primarily finance improvements not land, because they cannot attach liens or foreclose upon the land if it is ever declared allodial.

### Are Land Patents Valid?

Regarding the validity of allodial titles and Land Patents. It depends on who you ask. If you ask an attorney, they'll snort and say it has no validity in the courts. If you ask the title insurance company, they'll hiss and snort and turn red in the face from embarrassment. If you ask a clerk at the Bureau of Land Management, they'll roll their eyes and say that land patents are worthless.

If you ask fellow sovereign "state" Citizens who've successfully kept the State or the banks from

foreclosing on their property due to a land patent clouding the equitable title, then you would say it has validity. I assert there are hundreds of people who have successfully staved off government intervention through the use of land patents. How long that will last depends on the judicial and political activism of the American people. Still, there is no better way to cloud an equitable title than to update the land patent in "Your Name."

## LAND PATENTS CLOUD EQUITABLE TITLES

There haven't been any great victories in the courts lately, but then again we haven't had a justice system for several generations. The issue of Land Patents has already been decided, res judicata.

It also depends on the political strength of the Constitution and how diligent the courts are in upholding the law of the land. People want problems solved without taking any responsibility for creating them in the first place through ignorance, neglect and fear. It also depends on the political strength of the sovereign people. Are you willing to stand for your rights and property or NOT? Land Patents were upheld and respected for generations until the American people went to sleep. Suddenly, they're waking up and realizing they've been had by their own government

Be prepared to defend your Land Patent in an Equity/Admiralty/Maritime court which has no jurisdiction to rule on the Land Patent. These patents are being upheld 50% of the time by local law enforcement and government officials, more often in rural areas than urban areas of the West.

A shorter road to a better future...^i^

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Reply

[+3 raves](#) by [Craig](#) posted *Nov. 11*

Good research Mags. This is what I mentioned in your other post Allodial Title and this is exactly what I was referring to. Again Great research and thanks for posting for all SodaHeads to see.....;)

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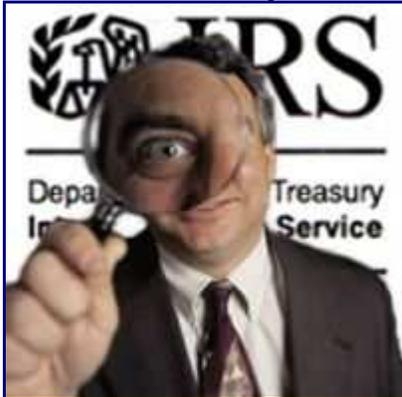


Reply

[+2 raves](#) [-] by [Sailor Dale](#) posted *Mar. 23*

Good post! A little long, but I agree with what I did read!

I definately know this- If you think you OWN any property or land, with a title free & clear, no bank notes or nothing, we STILL do not OWN it.....Just stop paying your property (or other)



taxes on it, and see how long you "own" it!!!!



Reply

[+2 raves](#) [-] [Magzill...](#) replied to [Sailor ...](#) posted *Mar. 23*

Thanks. It is long to read but I think it is worth the time. I wish more people understood what this really means.



Reply

[-5 raves](#) [+] by [Jeff](#) posted *Mar. 23*

[...]I work in the legal field and the crap that you put on this website has no basis in reality.



Reply

[+5 raves](#) [-] [Magzill...](#) replied to [Jeff](#) posted *Mar. 23*

So describe in detail how it is crap instead of name calling.



•

Reply

[+1 raves](#) [-] [Sailor ...](#) replied to [Jeff](#) posted *Mar. 23*

Defend yourself, boy genius!!!!



•

Reply

[+3 raves](#) [-] [Avan~1:7~](#) replied to [Jeff](#) posted *Mar. 24*

000....ah how cute a baby sock puppet



•

Reply

[+3 raves](#) [-] [Foo Mas...](#) replied to [Jeff](#) posted *Mar. 24*

Can't you disagree with someone without insulting them?

BTW - sweeping floors in a law office doesn't constitute working in the legal field.



•

Reply

[+2 raves](#) [-] [TheDogW...](#) replied to [Jeff](#) posted *Mar. 24*

Oh really, and what law school did YOU graduate from? Explain your argument, or do you have none?



•

Reply

[+1 raves](#) [-] by [Joe Volk](#) posted *Jan. 23*

Mags

Really enjoy learning more about my rights as a real man and the powers I can use to my benefit.

I've researched for many years and have found that we have truly been snookered by our gov.

Stronger words couldn't describe what they have done.

Too bad there are many people who can't see it. Don't even want to hear about any of this stuff.

Thanks for this article on Land Patents, it was great and appreciated.

Joe



Reply

[+1 raves](#) [-] [Magzill...](#) replied to [Joe Volk](#) posted *Jan. 24*

Thanks (^\_^)

I posted this because I just don't see how a person who owns a piece of property can have it take away. Now I know. They don't really own it.

A person doesn't own something if they have to give another person or agency money for it. A person is not free if they have to pay and answer to another person or agency. I have had conversations with people on this site who just don't grasp that.

There was one guy I was arguing with who said he owns all of his stuff. I asked do you? He said yes, of course he does. So I asked him if any of his stuff was bought with by a loan that he still owes money on? He went on to say that he owns his stuff and his financial situation was none of my business. After that I told him that he was right, it wasn't my business, but he didn't own anything that is still tied up with a loan or debt. We then tried to argue how he did in fact own his stuff even though it was on borrowed money. If a person can come and take you stuff away because a payment was missed then you don't own it and you are not free to do what you want. You have to work to pay it off.

One thing that pisses me off about property taxes is that it serves no real purpose. I can understand paying taxes on a piece of property only once. Anything beyond that is multiple taxati... Thanks (^\_^)

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One thing that pisses me off about property taxes is that it serves no real purpose. I can understand paying taxes on a piece of property only once. Anything beyond that is multiple taxation. So many elderly people are losing their homes because they can't afford the property taxes on it. I view this as a violation of the fourth amendment. ([more](#))



Reply

[+3 raves](#) [-] by [Craig](#) posted *Nov. 11*

Good research Mags. This is what I mentioned in your other post Allodial Title and this is

exactly what I was referring to. Again Great research and thanks for posting for all SodaHeads to see.....;)



•  
Reply

[+3 raves](#) [-] [Magzill...](#) replied to [Craig](#) posted *Nov. 11*

Your post is the reason why I looked it up. I have never heard of the term before you mentioned it to me.

Thanks a ton Craig!



•  
Reply

[+1 raves](#) [-] [Craig](#) replied to [Magzill...](#) posted *Nov. 11*

No problem at all Mags. Glad I can still share some enlightenment. Thanks for helping to spread the word. ;)