Jack Venrick

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To: <jacksranch@skynetbb.com>
Sent: Sunday, June 15, 2008 11:50 AM
Subject: All Property Ownership is Absolute - "Except" When You Are Conned To Unknowingly "Volunteer" Your Rights Away

Image:Common law world.png

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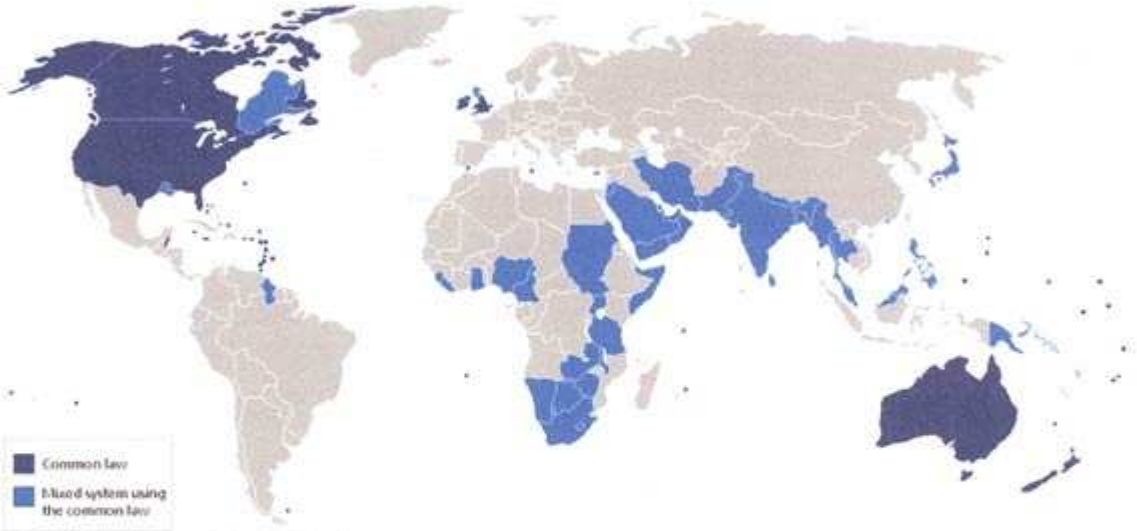

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Summary

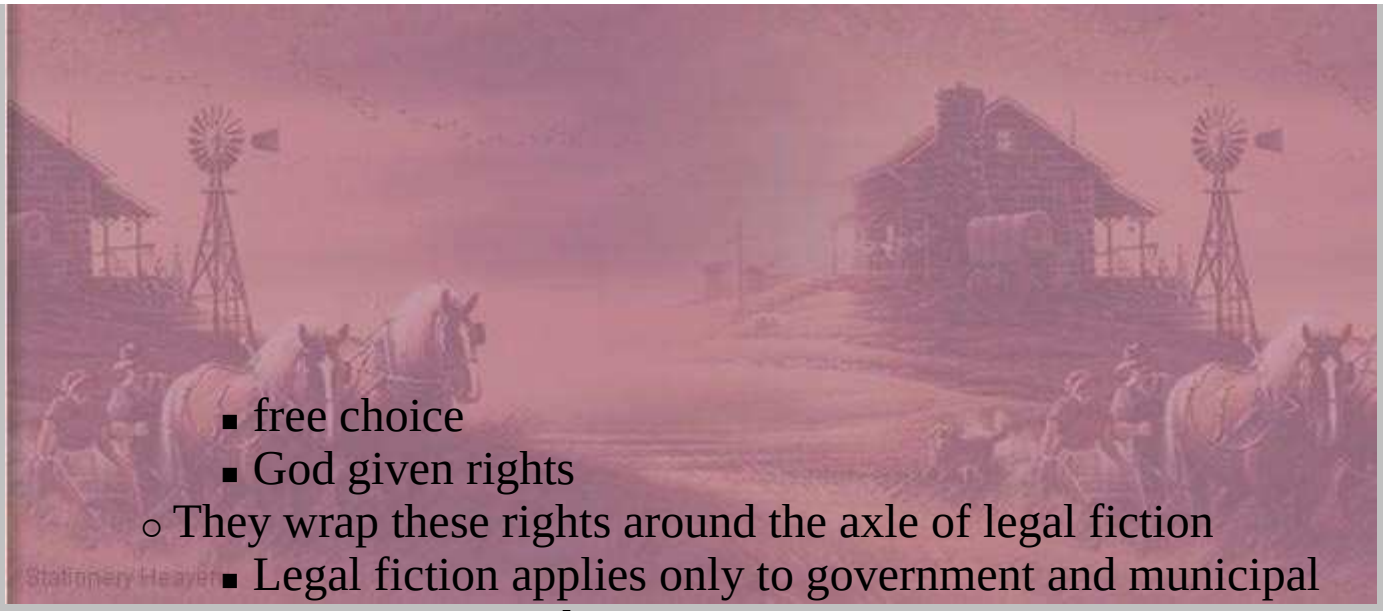
Common law

Mixed system using common law

To: Property Rights & Freedom Movement

If you can make it through this 12 page treatise below, you will be ahead of the taking curve.
You will better understand how those who use the progressive "laws", war on us to swindle our birth rights.
North America is under siege to turn it into a European Union so I am also sending this to my dear Canadians friends.

- This is corroborated by other sources.
- This is a legal fiction game, created in part by the ABA, who help the government and their clients to your life
- I find replacing the word "legal" with "legal fiction" helps me better understand the root of the chicanery of progressive positivism
- This is also why government is morphing itself into municipal corporations
    - so they can pretend you are a mere employee
    - instead of a natural born sovereign free state Citizens with a bundle of birth rights given to you by God
    - The forces that take you, do not like you to use to following words
        - individuality sovereignty,
        - unalienable rights,
        - birth rights



- free choice
- God given rights

- They wrap these rights around the axle of legal fiction
  - Legal fiction applies only to government and municipal corporations and corporations
  - Individuals, family partnerships and family business are free
    - Within the very general boundaries of natural law, common law and God's law

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The only way we can become free is to understand how we have been taken.

- This is not a pretty picture nor an easy picture to understand or describe.
- The roots of federalism taking go deep into the fertile soil of our birth rights and generations of our families
- Wherein your God given birth rights have been so thoroughly subverted.
- Once you have developed your new sight to see the rights you have always had
  - You have taken the first step toward freedom for you and your family

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Government and those who use them, have debased the

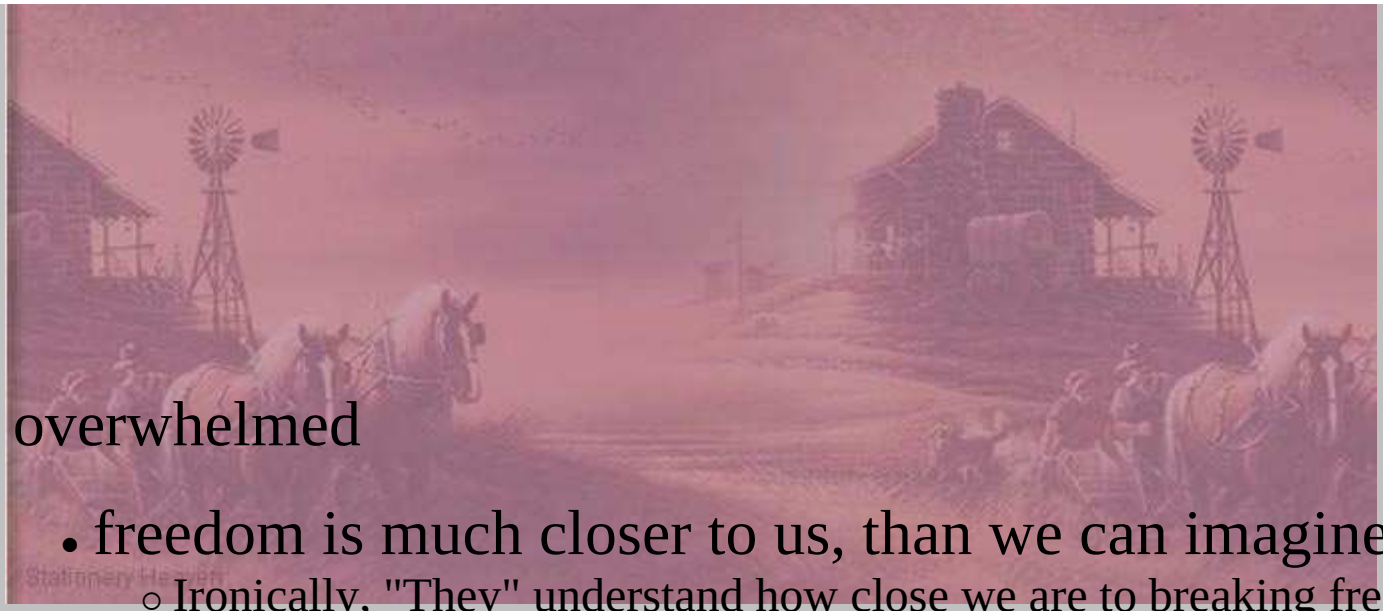
laws into sugar coated seductions

- to "help" you more easily "volunteer" to give up your birth rights
- This is a near Lilliputian like story.
- They have hog tied us to our own land with our own rope using our own self perceived needs
- i.e. they are most glad to give you what you want because this will bind you to what they want
- The ropes are called adhesions contracts they like to convince us
- when you voluntarily go into their houses of ill repute
  - You are held up by their progressive "laws"
  - they will tell you, ignorance of their "laws" is no excuse to not obey
  - while they glibly ignore, subvert and cast away the entire framework of your sovereignty
    - e.g. God's laws, natural law, the common law

These 12 pages below are well worth your time and trouble

- A. F. Beddoe does a great job to show how the laws of the land
- have been manipulated to con you from your birth rights,
- your unalienable rights, your home, your land, your wages, your privacy, your vehicles, etc.

At the same time, do not become discouraged or



overwhelmed

- freedom is much closer to us, than we can imagine
  - Ironically, "They" understand how close we are to breaking free much more than we do
  - "They" fear our freedom more than we fear our captivity
  - You have to wonder who are the prisoners in this illegitimate shell game, the collectivist play
  - A natural born free sovereign Citizen owes no one anything
  - You CANNOT be taxed, licensed or otherwise encumbered for any reason....
  - "Except", they say, when you have "knowingly" entered into a volunteer contract
  - Legal treachery has debased the natural laws and converted them into a shroud of public policy regulations known as codes and statutes
  - Those who use this cloak of public policy try to trump your birth rights
  - by seducing you to "volunteer" to contract your birth rights away
  - We naively allow con..gress, co..urts & executioners tell us what is our rights and our wrongs
  - All the while they are taking your private and public land,
    - your water, your home,
    - your families livelihood,
    - your assets and your life

The legal double speak invented by the clever American Bar Association and their ilk

- Are working 24 x 7
- Herding you into a chute to corral your birth rights
- You are branded with more identification than cattle
  - like a SSN, Drivers License Number, Vehicle License Plates,
  - Medicare No., Bank Accounts, Charge Card Accounts
  - state marriage licenses, business licenses, property account numbers
  - this goes against all the founding laws of the land and the laws of the laws
- Man's genius to steal from another man knows no bounds nor want of deception
- The ABA works to cloak the law and all the courts in their favor
- It is in their interest that you be less free and more controlled
- they profit greatly at the expense of your basic natural rights

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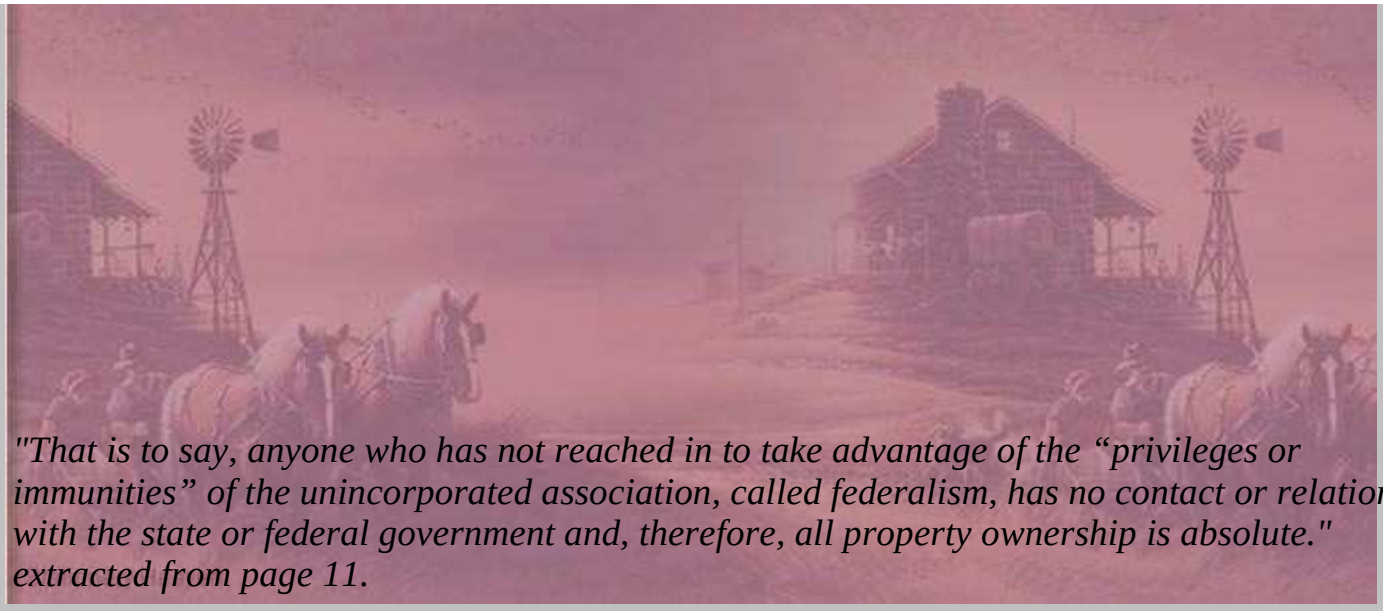
We must become more clever than those who work 24 X 7 taking from us

- while they use our private and public property and assets to steal from us
- while they convince us, most successfully, they are protecting us
- while we gullibly believe their jibe



"That is to say, anyone who has not reached in to take advantage of the "privileges or immunities" of the unincorporated association, called federalism, has no contact or relationship with the state or federal government and, therefore, all property ownership is absolute." extracted from page 11.

Jack Venrick
Still Searching
For My Lost Freedoms
Taken Long Long Ago
Before My Forefathers Eyes
They took our schools, our land, our homes, our everything
They call it Democracy

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http://www.propertyrightsresearch.org/articles4/law.htm
Great site http://www.propertyrightsresearch.org/

The Law, The Money and Your Choice -- OR -- The Constitutionally Legal Internal Revenue System and how you volunteered

(Note from LB: This Treatise is written so to make it understandable as possible for the average person. Law is not an easy thing to read. It is something that anyone will have to read several times ... each time we read it something new jumps off the pages. I have noticed on your website you have the Bill of Rights. The original Bill of Rights has only ten, and this what we use to return back to the Republic. If people want to save their property it has to be defended in a state court where you live. Yes, the government will definitely try to get it in the federal court, but you have to get it removed from the federal court and back to the state court, but your status must be right. Enjoy.)

July 23, 2003

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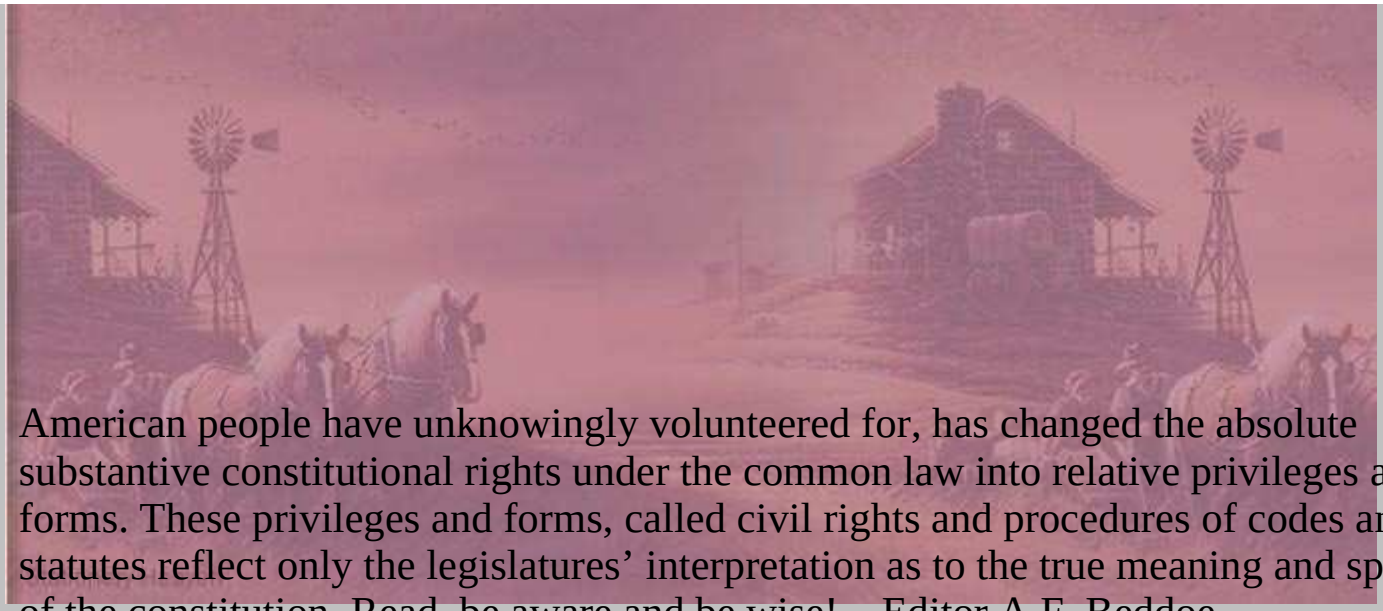
Compiled, Arranged and Edited by A.F. Beddoe

Ever since the founding of America, as a constitutional republic, patriotic citizens of all walks of life have been increasingly concerned about the erosion of our constitutional guarantees and why this erosion has and still is happening. However, the continued pooling of ignorance of patriot commentators arguing over proper form, while overlooking vital constitutional substantive common law facts, has led to a thousand and one procedures and ways being promulgated through the internet and seminars, as solutions to the rampant and tyrannical legislative and judicial activism known as “public policy.” Now, for the first time, from Lee Brobst’s lifetime of experience and legal research, here revealed, is the actual substantive cause that moved the American citizen away from literal constitutional common law guarantees into the relative constitutional franchises and privileges established by Congress’ “spirit” and “true meaning” interpretation of the constitution. This document addresses what the real substance of the law is and how its loss and conversion into many forms has effectively created an unincorporated interstate banking association. This association, which the



American people have unknowingly volunteered for, has changed the absolute substantive constitutional rights under the common law into relative privileges and forms. These privileges and forms, called civil rights and procedures of codes and statutes reflect only the legislatures' interpretation as to the true meaning and spirit of the constitution. Read, be aware and be wise! – Editor A.F. Beddoe

The "United States of America," more typically referred to as the "Union of states" began their existence under a charter known as the Articles of Confederation, which came before the Constitution.

The Articles of Confederation created states under the common law, but created an ineffective federal government. Under the Articles of Confederation1 Congress could not punish any infraction of the law of nations.

The Law of Nations (also called International Law) is the law that determines the rights and regulates the commercial intercourse of nations.

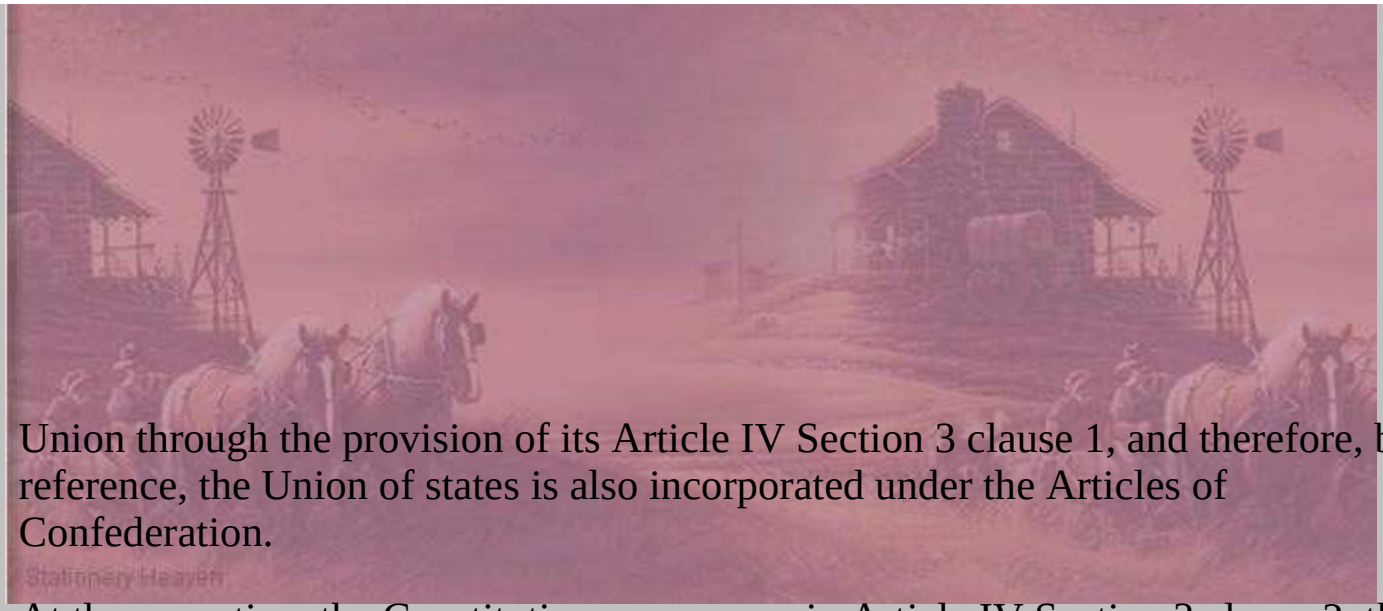
The Articles of Confederation did not address or incorporate this "law of nations," vital for merchants to settle contract disputes outside the Union of states.

Even though the Articles of Confederation were unsatisfactory for forming a strong and proper Union of states (United States of America), our founding fathers would never have been able to have a constitution without them.

Incorporating the law of nations was, therefore, a vital stepping-stone2 to creating an effective Constitution.

When the master charter, "The Constitution for the United States," was drawn up, the Articles of Confederation were incorporated3 into the Constitution, by reference, under Article VI clause 1.

The "Union of states" began their new and strong union under the master charter, known as our Constitution. The Constitution incorporates4 the states into this



Union through the provision of its Article IV Section 3 clause 1, and therefore, by reference, the Union of states is also incorporated under the Articles of Confederation.

At the same time the Constitution announces, in Article IV Section 3 clause 2, the powers of Congress over their other property unincorporated5 (not incorporated) jurisdiction, it also announces the jurisdiction of the Union of states under Article IV Section 3 clause 1.

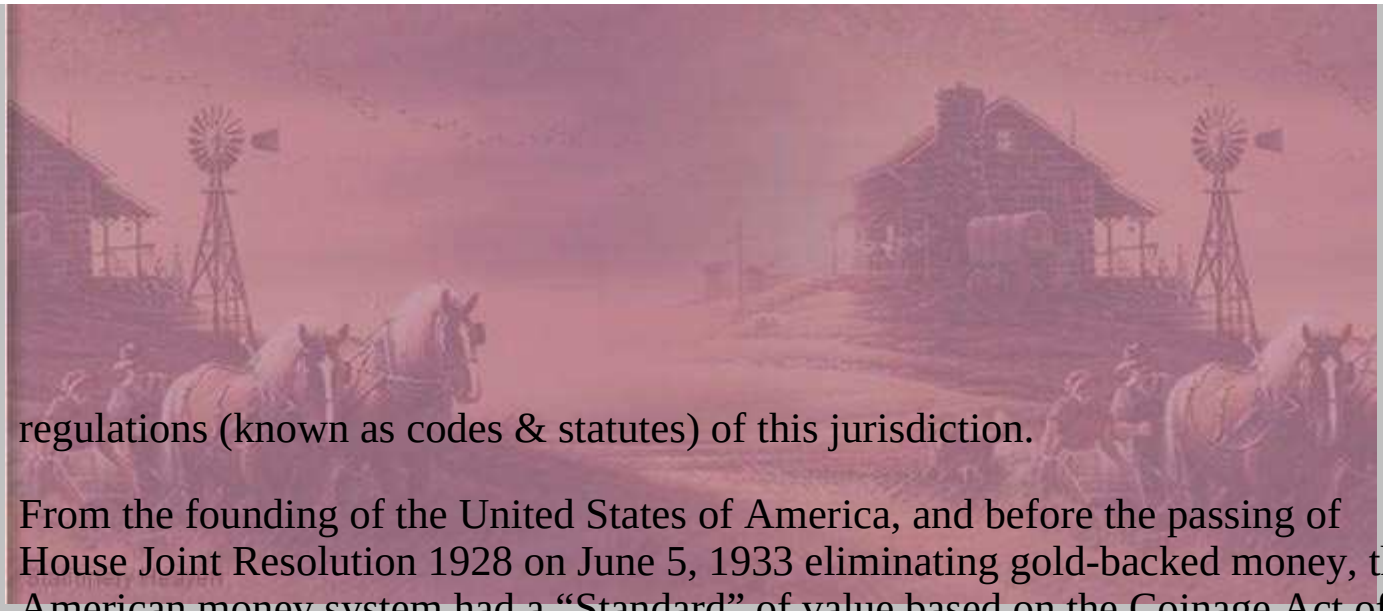
Thus, we have the first designation of two kinds of territorial jurisdictions.

The first has to do with the incorporated Union of states, addressed in Article IV Section 3 clause 1, also known as “the territory,”6 that functions within the strict letter of the Constitution.

The second jurisdiction, referred to as other property, in Article IV Section 3 clause 2 is known as “a territory,” 7 remains unincorporated, or not included, in the Union of states. Therefore, “a territory” or other property is subject only to the “spirit” of the first ten amendments to the Bill of Rights as interpreted by Congress as they administer unto that other property outside the strict letter of guarantees of the Constitution and Bill of Rights. The Constitutional guarantees are reserved for the Union of states and the people under the Bill of Rights. In other words, there are two jurisdictions available to exist in.

Living fully in one means that the people have full responsibility for their own actions protected by the Bill of Rights in its absolute and literal form. Here the federal government has no direct contact with the people whatsoever.

Living fully within the “other” means that the people have only the rights dictated as Congress’ wishes in overseeing their civil rights, which are only relative to or in the “spirit” of the Bill of Rights. Here is where the federal government has full and direct contact with the people, as they see fit, for the benefit of public policy



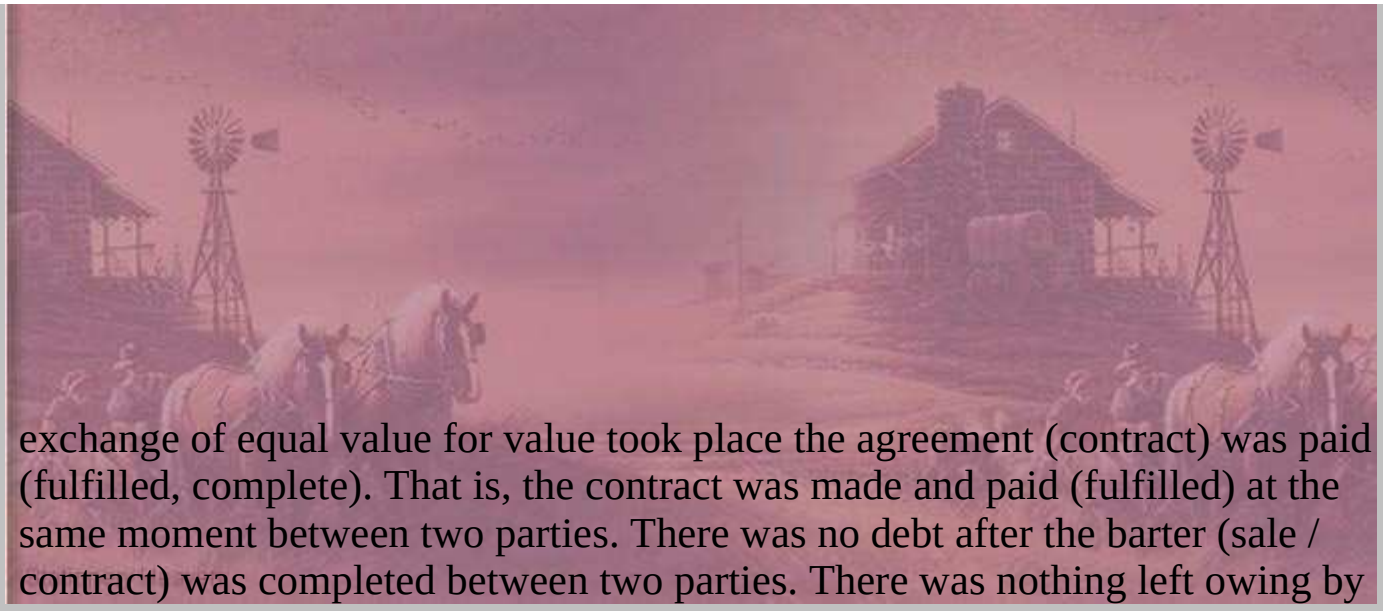
regulations (known as codes & statutes) of this jurisdiction.

From the founding of the United States of America, and before the passing of House Joint Resolution 1928 on June 5, 1933 eliminating gold-backed money, the American money system had a “Standard” of value based on the Coinage Act of 1792 authorized and incorporated under the common law principles of the Constitution. This is because the basic common law principle on which our Constitution was founded demanded that all debt must be paid as found in Article I Section 10. In fact, Article I Section 10 is the only place in the Constitution where demand for “Payment” is made. Therefore, before June 5, 1933 public policy demanded “Payment of Debts” and all payments were based on the public money “national Standard,” herein after called “Standard.” This means that public policy then was also based on the “Standard” -- that “Standard” contained the literal letter of the law of the Constitution. 9

You see, for something to be “paid” means that a promise has been fulfilled -- a contract completed. Before modern supermarkets and department stores, the primary way of obtaining a needed item or material was by barter. If one needed a sack of salt, they went to the person who had the salt and would trade something they possessed of equal value for the salt.

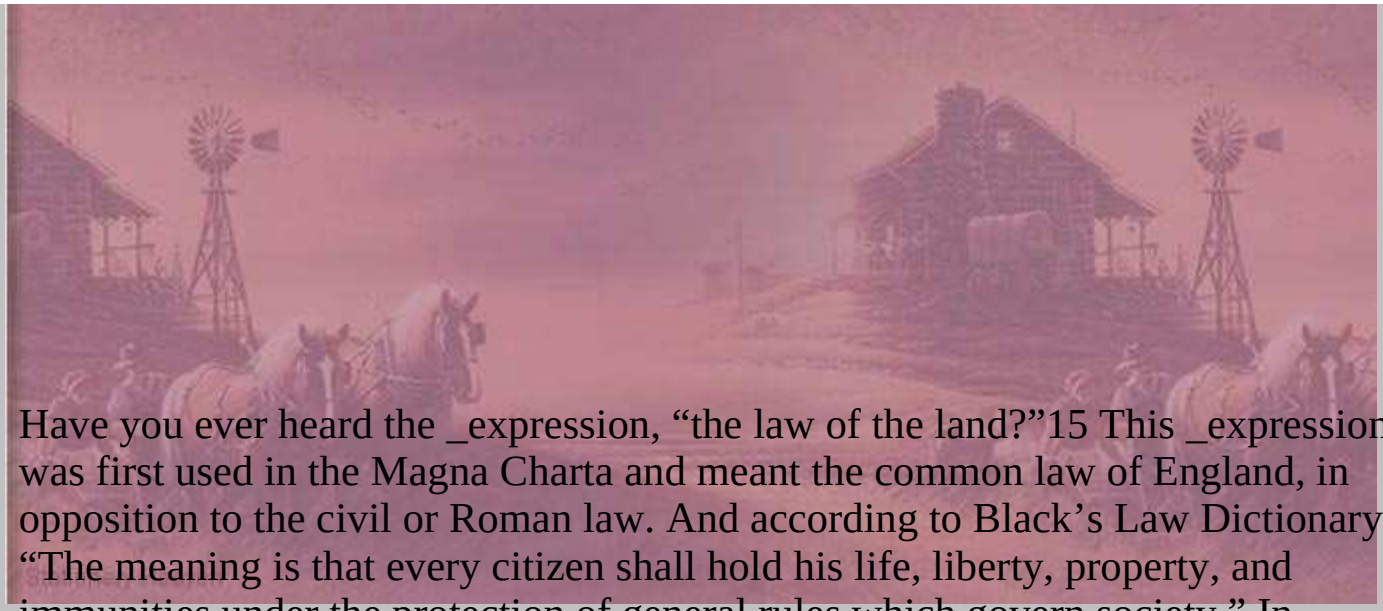
Because gold and silver have, from the beginning of time, been very highly prized as a medium of exchange, our founding fathers knew it was the only medium that could maintain and assure the “Payment of debts” in all trade or commerce10 under the constitution. Thus, our Constitution states under Article I Section 10, “No State shall … make any Thing but gold and silver Coin a Tender in Payment of Debts.” So, if one was to use gold or silver coin as a medium of exchange, then one could use the gold or silver coin to trade for the salt in the example above.

This barter / trade was based on a verbal meeting of the minds (agreement) between the person that had the salt for barter (sale) and the person who had gold / silver, or some other item of value, to trade or exchange for salt. When the



exchange of equal value for value took place the agreement (contract) was paid (fulfilled, complete). That is, the contract was made and paid (fulfilled) at the same moment between two parties. There was no debt after the barter (sale / contract) was completed between two parties. There was nothing left owing by either party after the transaction. Substance had been bartered for equal substance -- value for value. There was no third party intervener11 as there is today. This is because there was no way for the federal government to have jurisdiction over a primary state citizen unless that citizen was to enter into a bilateral contract with the federal government. And even then, there was literal 10th Amendment12 protection for the citizen in the bilateral contract, because public policy, dictated by the substance of the common law, was still demanding the payment of debt. Then, the governmental power could come under Article I in rem and not the public policy of diversity13 operating quasi in rem that we see today under HJR 192, 12 U.S.C. Section 95a, 15 U.S.C. Chapter 41 Section 1602 and Article IV Section 3 clause 2.

At the founding of the Constitution, all disputes between persons in commerce usually had to do with unfulfilled or unpaid agreements or contracts, therefore the law of contracts in the Constitution was founded on the common law necessity of all contracts being fulfilled or paid when made. Without a medium of exchange containing a predictable and measured substance, no agreement or contract could be properly or completely paid. If unpaid, the law of contracts was unfulfilled, incomplete or lacking, because there was no contract without payment. The substance (gold or silver coin) of the common law, that dictated that all contracts must be paid in order to exist was not exchanged, therefore, a contract did not exist. Contracts are considered to exist only when they are paid.14 It was because of these vital principles that contracts can only be made / paid via a medium of exchange that contains the “Standard” substance (or law substance), that our founding fathers wrote Article 1 Section 10 to guarantee a consistent, unchanging weight and fineness to our “gold and silver coin” money as well as the law that follows it.

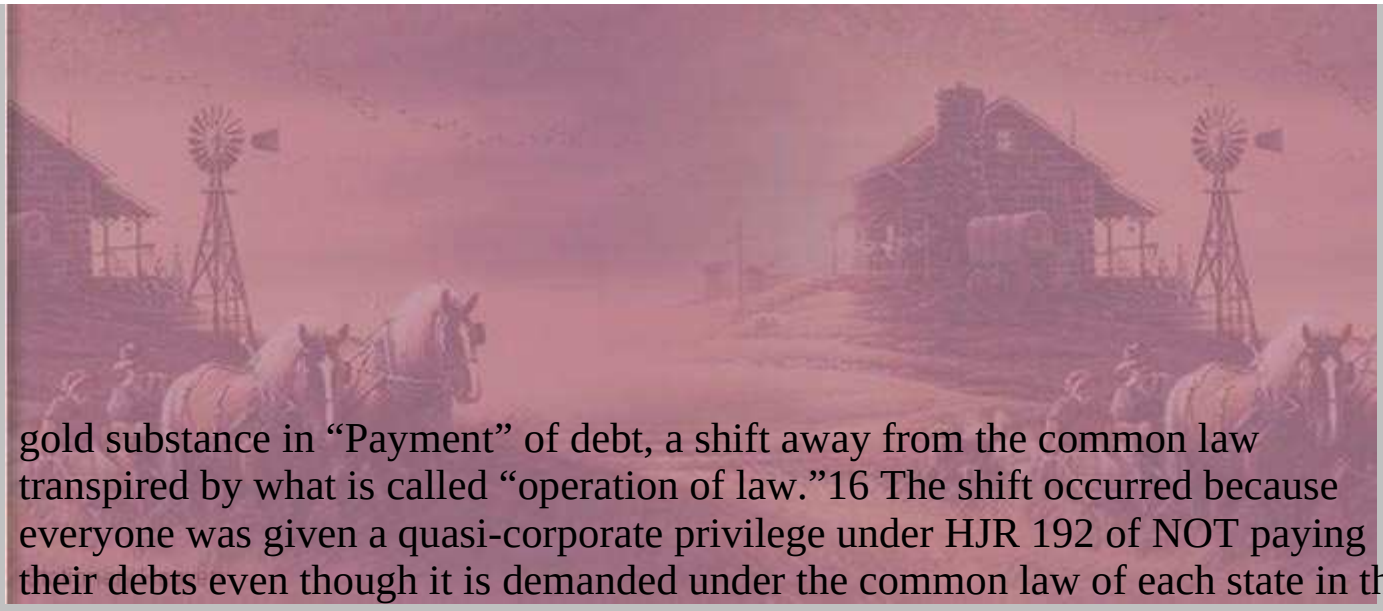


Have you ever heard the _expression, “the law of the land?”15 This _expression was first used in the Magna Charta and meant the common law of England, in opposition to the civil or Roman law. And according to Black’s Law Dictionary, “The meaning is that every citizen shall hold his life, liberty, property, and immunities under the protection of general rules which govern society.” In America the basis of all law that governs our society is our national Constitution with its common law principles -- at least that was what our founding fathers intended.

But what has changed since then? Well, the substance of “the law of the land” has been removed. Yes, on June 5, 1933 congress enacted House Joint Resolution 192 that removed the hard mineral substance known as gold, also referred to as “portable land,” from giving consistent, predictable and exact value to our money. Silver was demonetized as “payment” of debt in 1862 when Congress changed the silver standard from one dollar in silver to the silver dollar. Since then silver is considered a commodity and was finally withdrawn from circulation in 1964. Silver certificates were withdrawn in 1972.

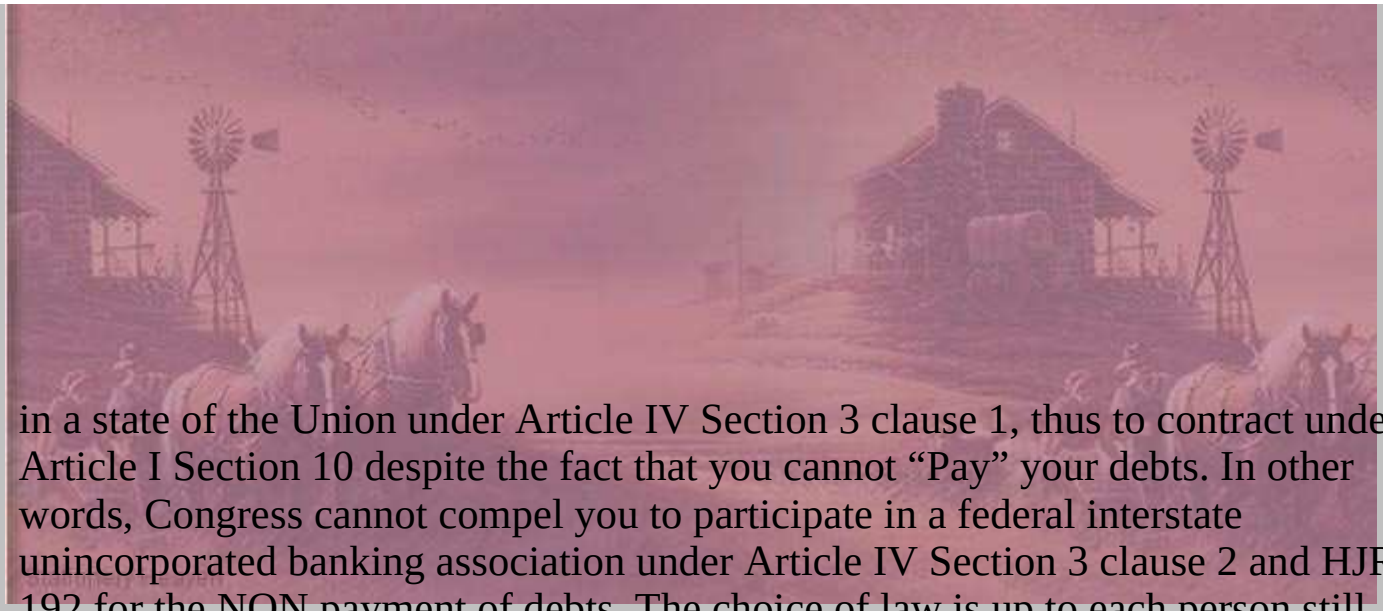
The hard precious metal substances known as gold and silver, used in coins, comes from the earth. It is literally portable or movable substance from or of the land (law). Land and law go hand in hand, because in times past only those that owned the land had access to the portable law substance (gold and silver) that was found in the land. Likewise, those that owned or controlled the land made, produced or brought forth the law “Standard” of gold and silver.

Despite HJR 192, Congress cannot override the state governments incorporated powers under Article I Section 10 of the Constitution. Despite current public policy, Congress cannot override an American’s right to maintain a private policy under the common law principles as they are expressed in the first ten amendments to the Bill of Rights of the Constitution. However, because the gold is the “Standard” substance of the law, and law follows the “Standard” substance of money, when Congress, acting under public policy, suspended the “Standard”



gold substance in “Payment” of debt, a shift away from the common law transpired by what is called “operation of law.”16 The shift occurred because everyone was given a quasi-corporate privilege under HJR 192 of NOT paying their debts even though it is demanded under the common law of each state in the Union according to Article I Section 10 of the Constitution.

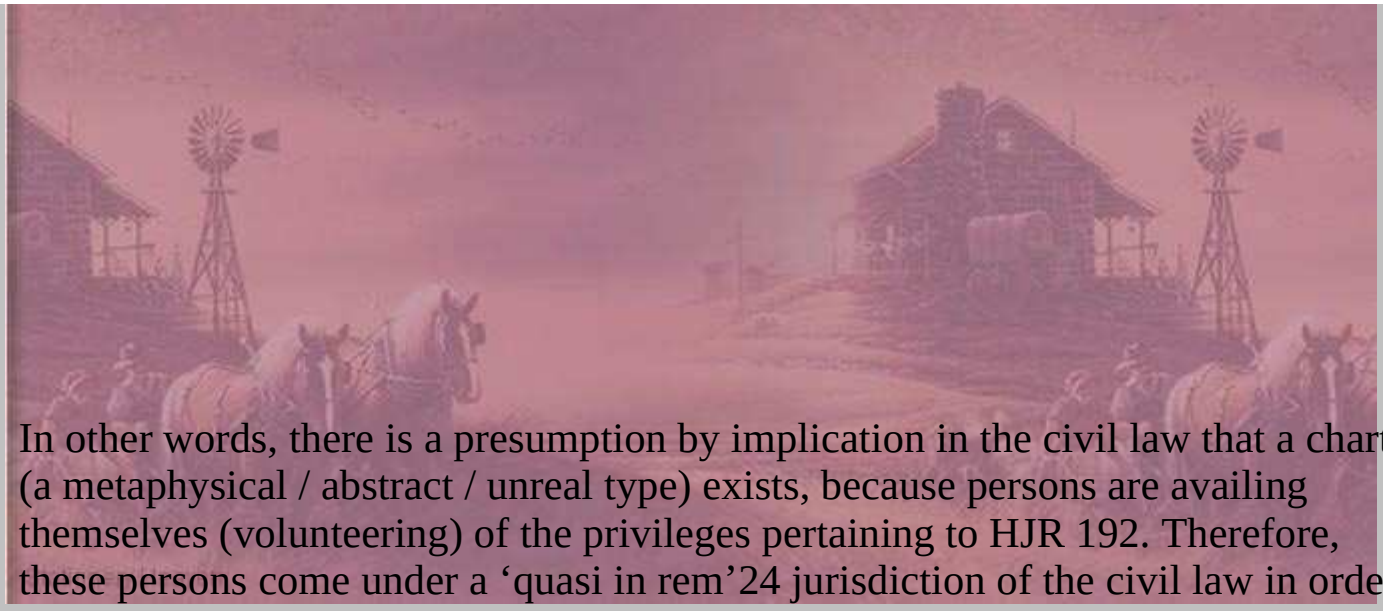
A corporate privilege or franchise has two distinct aspects to it. First, there is perpetual succession (which can exist independent and beyond the demise of any current directors) and second, there is limited liability for the payment of debt. This means, that similar to corporations, HJR 192 offered individual Americans an artificial connection to and relationship with the federal government outside the literal common law of the constitution for the purpose of “social security.”17 However, unlike corporations, this artificial connection and relationship was not under any corporate charter, federal or state, as addressed specifically under Article I Section 8 clauses 1 & 3 being one of the government’s general powers. Rather, this relationship is controlled under Article IV Section 3 clause 2, because there is no physical federal or state charter issued to regulate this relationship. This connection or confederacy developed under HJR 192 is an affiliation known better as an association. Associations,18 according to Black’s Law Dictionary (revised 4th), are “[a]n unincorporated society; a body of persons united and acting together without a charter, but upon the methods and forms used by incorporated bodies for the prosecution of some common enterprise. …, but will not include the state.” And the “common enterprise” of this unincorporated society, is to offer all Americans a so-called “privilege,” in the form of what is better known as a “quasi contract,”19 to participate in commerce without “Payment of debts” for “social security” purposes. Moreover, this unincorporated society is outside the literal common law principle that demands the “Payment of debts” as stated in Article I Section 10, but it is allowed, upheld and protected by Article I Section 10 that upholds “Obligation of Contracts,” Yes, the people’s right to participate in this federated unincorporated society by operation of law is contractually protected by the Constitution. That is to say, each person has the right to domicile themselves



in a state of the Union under Article IV Section 3 clause 1, thus to contract under Article I Section 10 despite the fact that you cannot “Pay” your debts. In other words, Congress cannot compel you to participate in a federal interstate unincorporated banking association under Article IV Section 3 clause 2 and HJR 192 for the NON payment of debts. The choice of law is up to each person still.

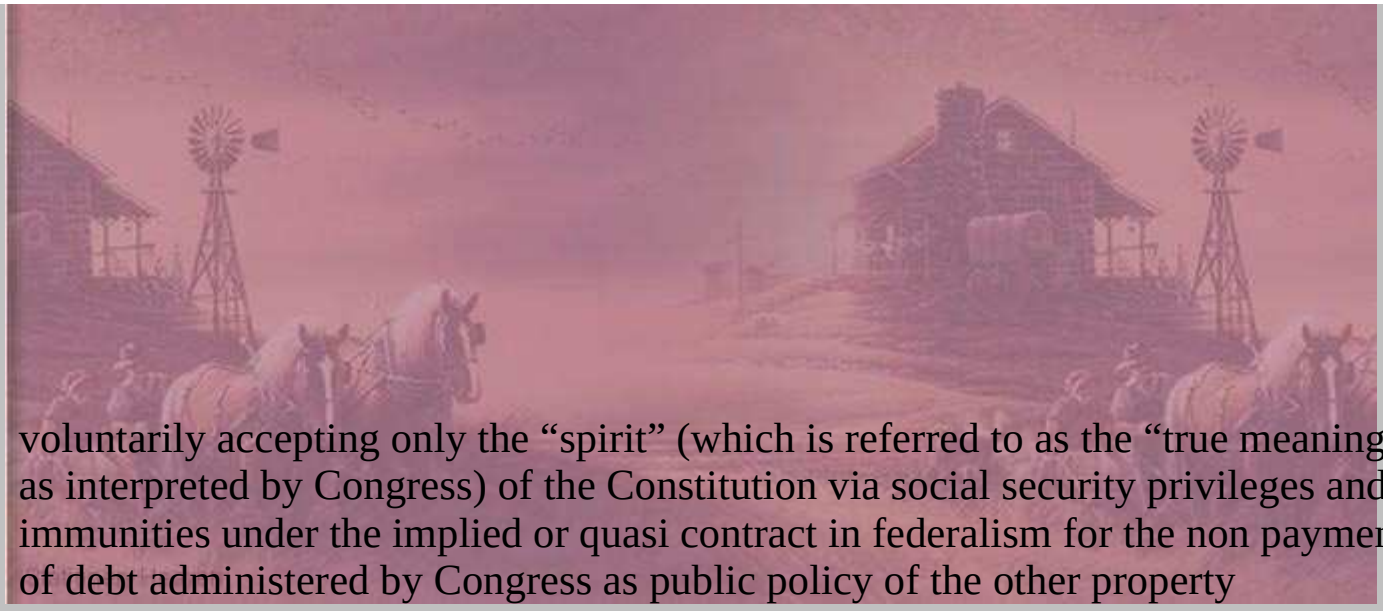
Corporations are artificial creations of the state or federal government under physical charter (franchise) issued via state or federal civil law for commercial regulation under Article I Section 8 clauses 1 & 3. They are not under the literal common law because of the charter (franchise). Any legal action against the corporation is legally called an “in rem” action, because it is against the thing or property (also called res) of the corporation under charter. The courts have automatic subject matter jurisdiction, because the physical charter is the subject matter.

On the other hand, under HJR 192,20 there is no physical charter issued by the government out of a state or federal secretaries’ of state office that defines the federated association’s duties, responsibilities, its officers, etc. This results in a federated association that is a quasi21 in rem unincorporated debtor’s society. The law treats this association as an outlaw entity, to the letter of the common law for the Payment of Debt. The courts then proceed, to uphold contract law under diversity, to establish the association’s guide lines by invoking their equity powers based on the “spirit” of the constitution. They will form a charitable trust to commercially regulate the association, because it is presumed that is what the group intended as there is no charter of incorporation. Under the letter of the constitutional law there is no commercial regulation, but HJR 192 along with 15 USC brought in a third party22 for commercial regulation for the social security public policy. Remember, “equity compels performance.” The law views unincorporated associations as a danger to the substance of the common law, because of their debt / credit system. This is because there is no counter balance to the demands the association puts on the substance of the earth, thus the reason for all the federal and state regulatory agencies.23



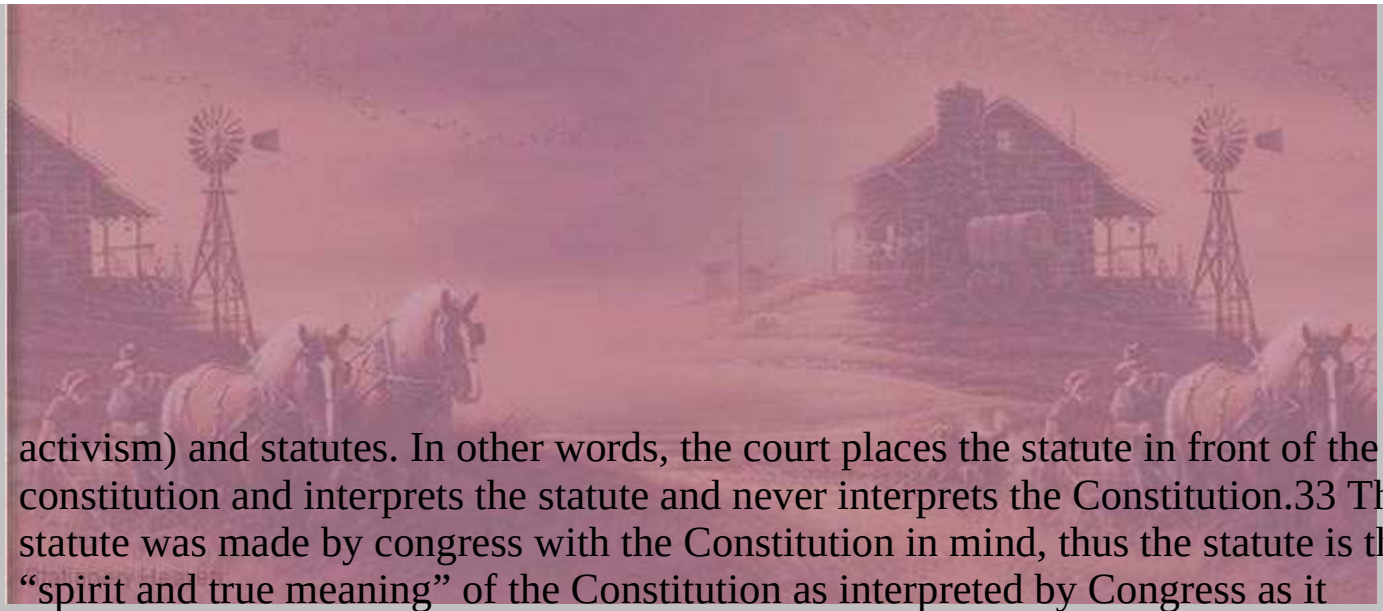
In other words, there is a presumption by implication in the civil law that a charter (a metaphysical / abstract / unreal type) exists, because persons are availing themselves (volunteering) of the privileges pertaining to HJR 192. Therefore, these persons come under a 'quasi in rem'24 jurisdiction of the civil law in order to regulate, control (including compel) those that are outside the literal common law principles. Yes, as long as the individual remains silent, it is presumed that they have volunteered for the non-payment of debt privilege under HJR 192, 12 U.S.C. Section 95a and 15 U.S.C. Chapter 41 Section 1602(c)(d)(e). As such they are considered as a debtor/creditor in a social security association (unchartered, unincorporated commune) whereby each person insures everybody else in the association by agreeing never to demand payment for debt. Under this volunteer arrangement, these persons become primarily a U.S. citizen, secondarily a state citizen, "subject to" clause 1 of the 14th Amendment,25 while the literal 10th Amendment rights are forfeited. Moreover, because this unincorporated social security (debtor) association has participants from each state, it forms an unincorporated federation (better known as federalism) of state associations under interstate commerce as addressed in Article IV Section 3 clause 2 and reinforced by Erie Railroad v. Tompkins, 304 U.S. 64. This is how the Federal Government (and state governments) under "federalism" can compel you to perform to the civil (Roman) law known as statutes (state or federal).

Here is the answer to why the IRS continues to say that income taxes are voluntary and yet Americans don't know how they volunteered. HJR 192 literally placed before the American citizen a choice of law between operating under the literal common law principles of the constitution or the private Roman civil law functioning under federal social security "spirit and true meaning of the Constitution." 26 27 That is to say, there are two jurisdictions available for the American people to choose from. The first jurisdiction exists within the Union of states expressed under Article IV Section 3 clause 1 where the literal letter of the Constitution and its first 10 Amendments function to protect Americans from the public policy of federalism. The second jurisdiction is set up through Americans



voluntarily accepting only the “spirit” (which is referred to as the “true meaning” as interpreted by Congress) of the Constitution via social security privileges and immunities under the implied or quasi contract in federalism for the non payment of debt administered by Congress as public policy of the other property jurisdiction of Article IV Section 3 clause 2. Those who have volunteered for the privileges and immunities of the federal social debt security of the unincorporated interstate banking associations for the non payment of debt, have no access to protection of the strict letter of the Constitution under the first ten amendments to the Bill of Rights, especially the 10th Amendment. (See the attached diagram to assist your understanding.)

Before HJR 192 existed, the Federal Government could not have any implied contact with Americans. They could only have an actual contact through a two party (bilateral) contract. Americans were presumed to be under Article IV Section 3 clause 128 as primary state citizens. After HJR 192, the voluntary unincorporated federal social debt security association, known as federalism, was formed under Article IV Section 3 clause 229 supported by 15 U.S.C. Chapter 41 Section 1602 (c)(d)(e) and 12 U.S.C. Section 95a becoming the new “public policy.” That is, implied contracts30 (see also quasi contract at footnote 19) under federalism have become business as usual -- i.e., public policy. By you volunteering to go along with HJR 192, there is a presumption you are primarily a U.S. citizen under Section 1 clause 1 & 2 of the 14th Amendment with “privileges or immunities.” Going along with HJR 192 means, you do not have the literal letter of the Constitution with the Bill of Rights working in your behalf. Because you have volunteered into the social debt security unincorporated association of federalism, the courts,31 under conflict of law (diversity) principles, look at your “life, liberty, and property” as relative, not actual. Your “life, liberty, and property” are converted to “privileges or immunities” and “civil rights.” As a debtor, there is no absolute literal property ownership -- only a privilege of possession.32 Instead of the literal constitutional law protecting you, you are only afforded the “spirit” of the constitution as interpreted by the courts (judicial

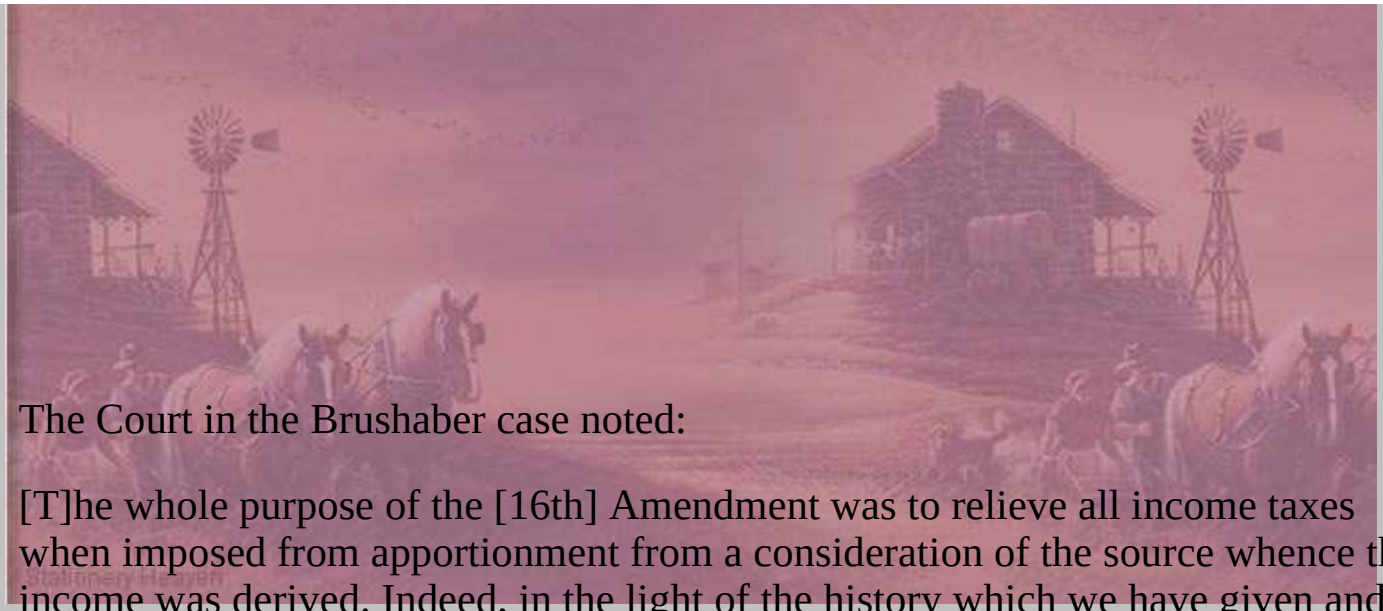


activism) and statutes. In other words, the court places the statute in front of the constitution and interprets the statute and never interprets the Constitution.33 The statute was made by congress with the Constitution in mind, thus the statute is the "spirit and true meaning" of the Constitution as interpreted by Congress as it administers its other property under Article IV Section 3 clause 2.

Yes, under HJR 192 the Americans have volunteered to give up their land, because they have forfeited the "Substance" of the land for the convenience of a federal commercial social debt security system, via the jurisdiction of "a territorial" ("inchoate" or incomplete) state (other property) or governmental subdivision promoting an unincorporated interstate banking association to defer payment of debt. This is what the milestone decision of Erie R.R. v. Tompkins, 304 U.S. 64 (1938)34 is all about. Erie states, the law that applies is the law of the state. This "law of the state" means the law of "a territorial" state or governmental subdivision operating under Article IV Section 3 clause 2. Therefore, this volunteer debt/credit system has made the literal constitutional common law of the state into a feudal common law (private Roman civil law) under federalism by operating under Article IV Section 3 clause 2.

Internal Revenue taxes of today are not unconstitutional or illegal as so many "patriot" groups are declaring. They basically serve as dues for the privilege of participating in the federated unincorporated interstate banking association for the non-"Payment of debts." To understand this, it is necessary to understand what the Supreme Court said regarding the 16th Amendment -- known as the Income Tax Amendment. By the way, this has nothing to do with whether it was properly ratified or not.

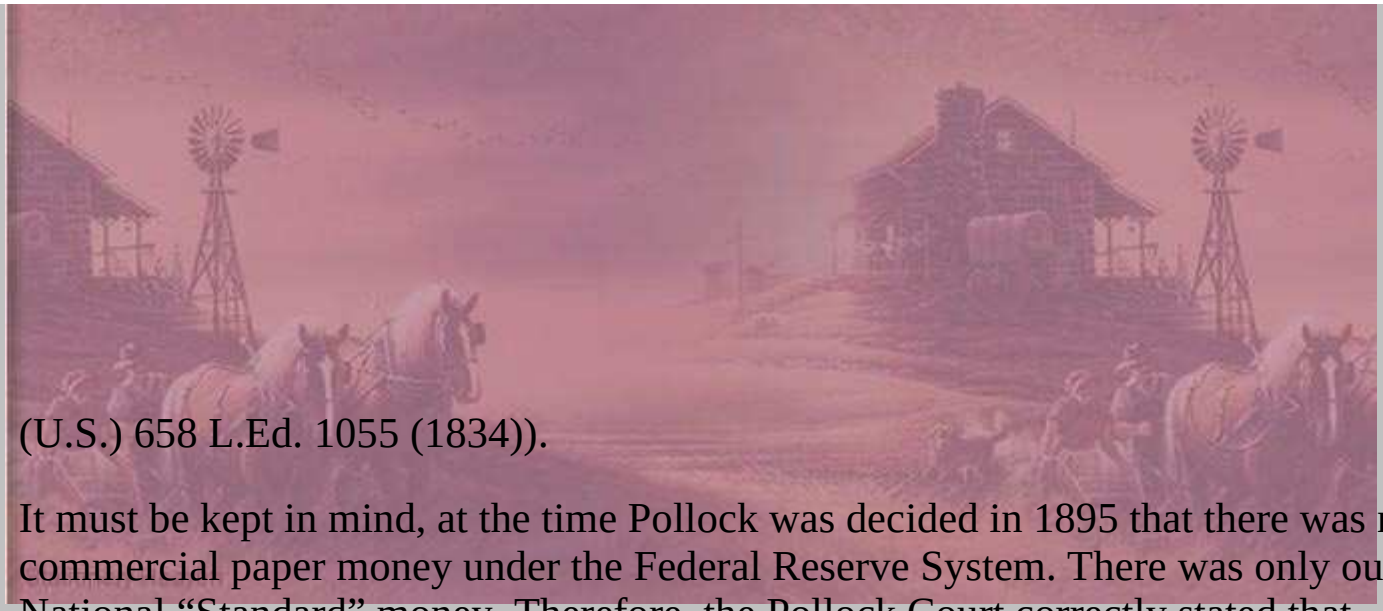
The key Supreme Court case that reveals this truth is known as the Brushaber v. Union Pacific Railroad, 240 U.S. 1, decided in 1916. This was decided three years after the 16th Amendment was allegedly passed and two years after the Federal Reserve Act was passed.



The Court in the Brushaber case noted:

[T]he whole purpose of the [16th] Amendment was to relieve all income taxes when imposed from apportionment from a consideration of the source whence the income was derived. Indeed, in the light of the history which we have given and of the decision in the [Pollock v. Farmer Loan & Trust, 156 U.S. 429 (1895)], and the ground upon which the ruling in that case was based, there is no escape from the conclusion that the Amendment was drawn for the purpose of doing away for the future with the principle upon which the Pollock Case was decided; that is, of determining whether a tax on income was direct not by a consideration of the burden placed on the taxed income upon which it directly operated, but by taking into view the burden which resulted on the property from which the income was derived, since in express terms the Amendment provides that income taxes, from whatever source the income may be derived, shall not be subject to the regulation of apportionment [Italic emphasis added].

The Pollock case that the Brushaber Court referred to, was decided at the time the United States still had the National “Standard” money in “Payment of Debts.” That “Standard” money in “Payment of Debts” was the very substance (gold & silver) of the Common Law that came from the land and was owned by the people. In other words, the federal Government was trying to put a direct tax, without required apportionment among the states, on income derived from the substance of the Common Law of the states, and the Supreme Court properly declared that unconstitutional. The Court was saying that the federal Government could not turn an untaxable constitutional right into a taxable privilege within the common law. The federal Government could not collect a direct tax on income unless done thru the states by apportionment, because income taxes were direct taxes and “paid” in the “Standard” substance of the land in hard coin (gold & silver) of the Common Law of the State to the U.S. Treasury. The federal Government cannot collect a direct tax from individual sovereigns, because there is no federal common law. The common law is at the Union of states level, because common law contract rights are all launched or begin at the state level. (See Wheaton v. Peters, 8 Pet



(U.S.) 658 L.Ed. 1055 (1834)).

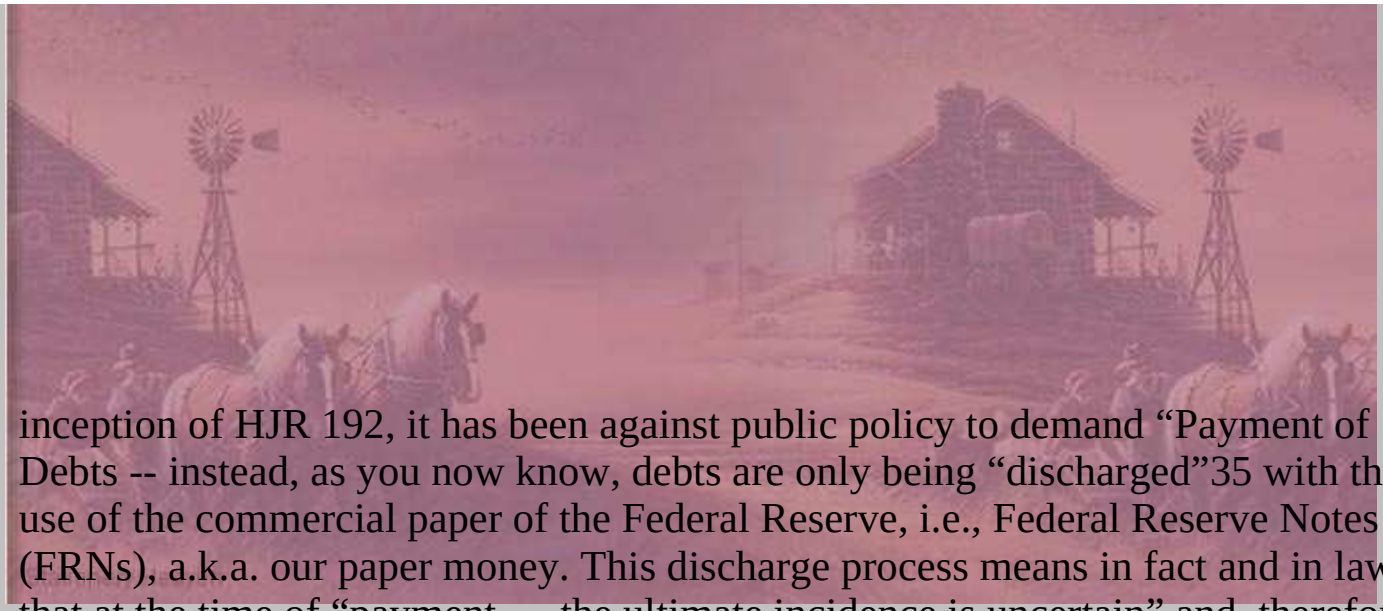
It must be kept in mind, at the time Pollock was decided in 1895 that there was no commercial paper money under the Federal Reserve System. There was only our National “Standard” money. Therefore, the Pollock Court correctly stated that taxes on real estate or rents or income of real estate were direct taxes. Also, that taxes on personal property or income derived from personal property were also direct taxes.

In 1916, the Brushaber Court determined that Brushaber’s income was derived, not from the substance of the land of the Common Law, but from the profit and gain from stocks and bonds through the use of commercial paper issued by Union Pacific, a private corporation. That commercial paper, in the form of stocks and bonds, was NOT “Standard” Lawful money or legal tender of the United States in “payment” of a debt, but only a “discharge” of an obligation via a privilege under the civil law. Therefore, the income from this commercial “discharge” privilege was subject to an indirect or excise tax, which was proper under the Constitution (the same with income from stocks and bonds today).

The Pollock Court, as a test to determine whether a tax is direct or indirect, namely:

The question whether it is a direct or an indirect tax cannot depend upon those special events which may vary in particular cases, but the best general rule is to look to the time of payment; and if at the time the ultimate incidence is uncertain, then, as it appears to their lordships, it cannot, in this view, be called direct taxation within the meaning of the second section of the ninety-second clause of the act in question. Attorney General v. Reed, 10 App. Cas. 141, quoted in Pollock v. Farmers’ Loan & Trust Co., 157 U.S. 601, 632 (1895) as the test to be applied for determining whether a tax is direct or indirect. [Bold emphasis added]

For further understanding, we must consider once again HJR 192. Since the

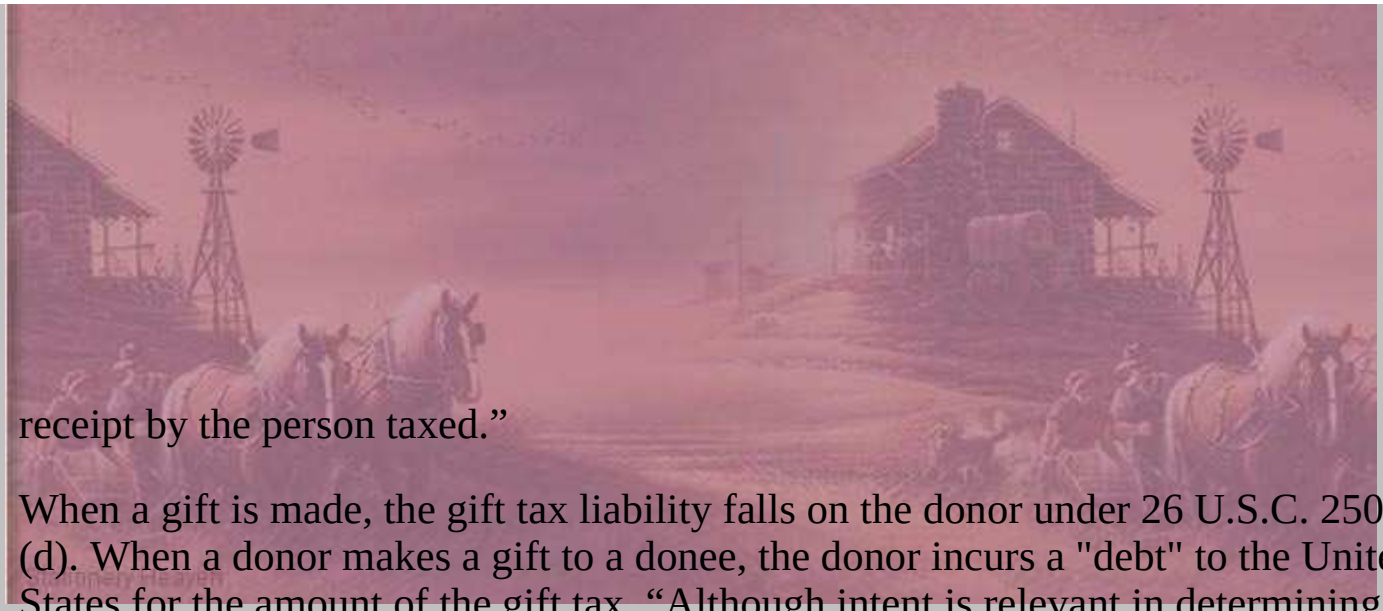


inception of HJR 192, it has been against public policy to demand “Payment of Debts -- instead, as you now know, debts are only being “discharged”35 with the use of the commercial paper of the Federal Reserve, i.e., Federal Reserve Notes (FRNs), a.k.a. our paper money. This discharge process means in fact and in law, that at the time of “payment … the ultimate incidence is uncertain” and, therefore, all federal taxes being collected are indirect or excise taxes which are within the “spirit and true meaning” of the Constitution as interpreted by Congress for those that have volunteered via diversity for the unincorporated interstate banking association operating under other property of Article IV Section 3 clause 2. Moreover, whether you have volunteered unwittingly or by conscious choice, there are steps you can begin to take for remedy. See page 21 paragraph 2.

In addition, since HJR 192 has made gold and silver into a commodity also, no matter how much you have of it or attempt to pay with it, you still cannot “pay” an obligation with it, but can only “discharge” an obligation with it just as the use of Federal Reserve Notes and other commercial paper can do.

In reality therefore, federal taxes are simply a gift tax36 (excise) on a privilege to pass on the gift of not paying, but rather in only “discharging” debt for the public policy of social security via a unincorporated interstate banking association.

Pursuant to its constitutional authority, Congress has defined “gross income” as income “from whatever source derived.” Including “[I]ncome from discharge of indebtedness.” 26 U.S.C. 61 (12). This Court has recognized that “income” may be realized by a variety of indirect means. In Old Colony Trust Co. v. Commissioner, 279 U.S. 716, (1929), the Court held that payment of an employee’s income taxes by an employer constituted income to the employee. Speaking for the Court, Chief Justice Taft concluded that, “[t]he payment of the tax by the employe[r] was in consideration of the services rendered by the employee and was a gain derived by the employee from his labor.” Id., at 729. The Court made clear that the substance, not the form, of the agreed transaction controls. “The discharge by a third person of an obligation to him is equivalent to

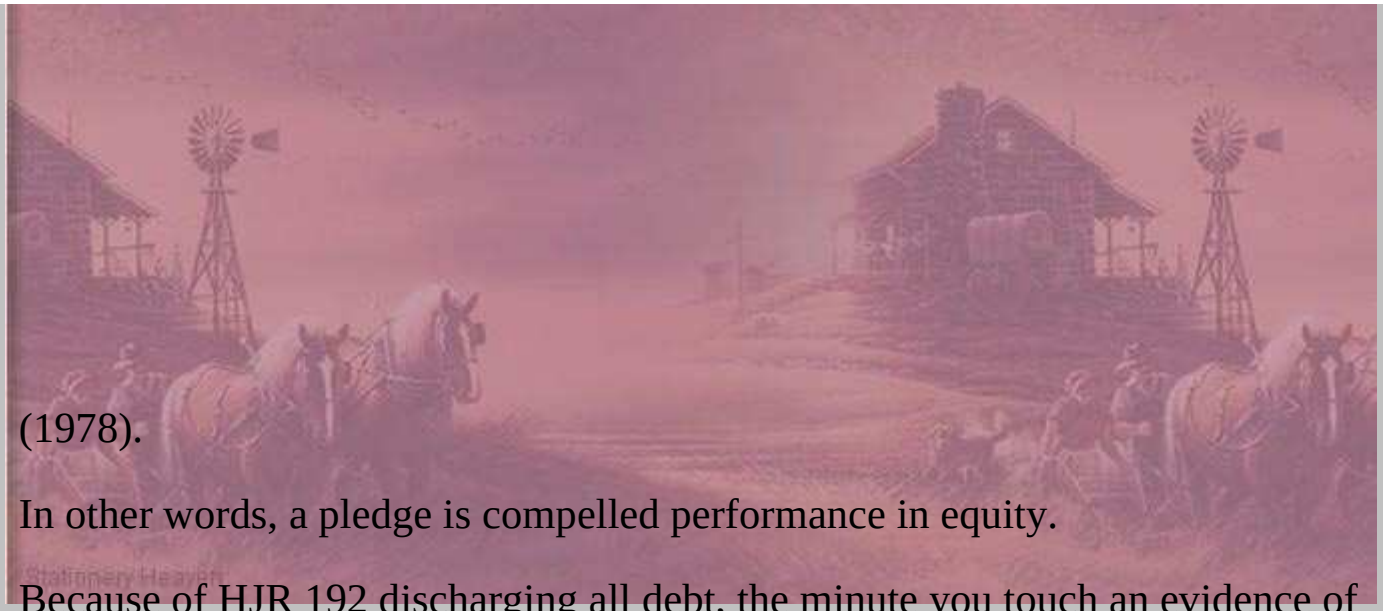


receipt by the person taxed."

When a gift is made, the gift tax liability falls on the donor under 26 U.S.C. 2502 (d). When a donor makes a gift to a donee, the donor incurs a "debt" to the United States for the amount of the gift tax. "Although intent is relevant in determining whether a gift has been made, subjective intent has not characteristically been a factor in determining whether an individual has realized income." Diedrich v. Commissioner, 457 U.S. 191 [Bold italics emphasis added]

In other words, the above quote reveals that, because the association never demands payment, those participating never demand the law (portable land known as gold) and the land it comes from. The participants simply gift it on to the association and are taxed on the value that they are privileged to pass on through this discharge.

The above quote demonstrates the consequences of signing a W4. When you sign a W4 form or have an employer withhold any thing from your wages, it becomes taxable income to you. The moment you sign any W-4 forms in the past or present, or have any kind of withholding with your employer, you admit that the debt exists, then the IRS enters into the picture as a third party. The problem is, there is nothing that says you owe the debt, other than HJR 192, and it only states that it is against public policy to demand payment. Because of this situation, the government presumes you intended to give a gift, so the government sets up a charitable trust. When someone gives a gift, the charitable thing to do, is give a gift in return, thus the social security trust (unincorporated association) is born. Under federal law, when you make a gift, you have to fill out the forms (1040) and pay the taxes on that gift.37 Signing those government forms becomes a third party recognizance38 or Charitable Subscription Debt Acknowledgement, where there is no judgment or record (nul tiel record39) that the debt is owed. "A charitable subscription or pledge is binding without proof that the promise of the subscription or pledge induced action or forbearance or was supported by consideration." - Salsbury v. Northwestern Bell Telephone Co., 221 N.W.2d 609



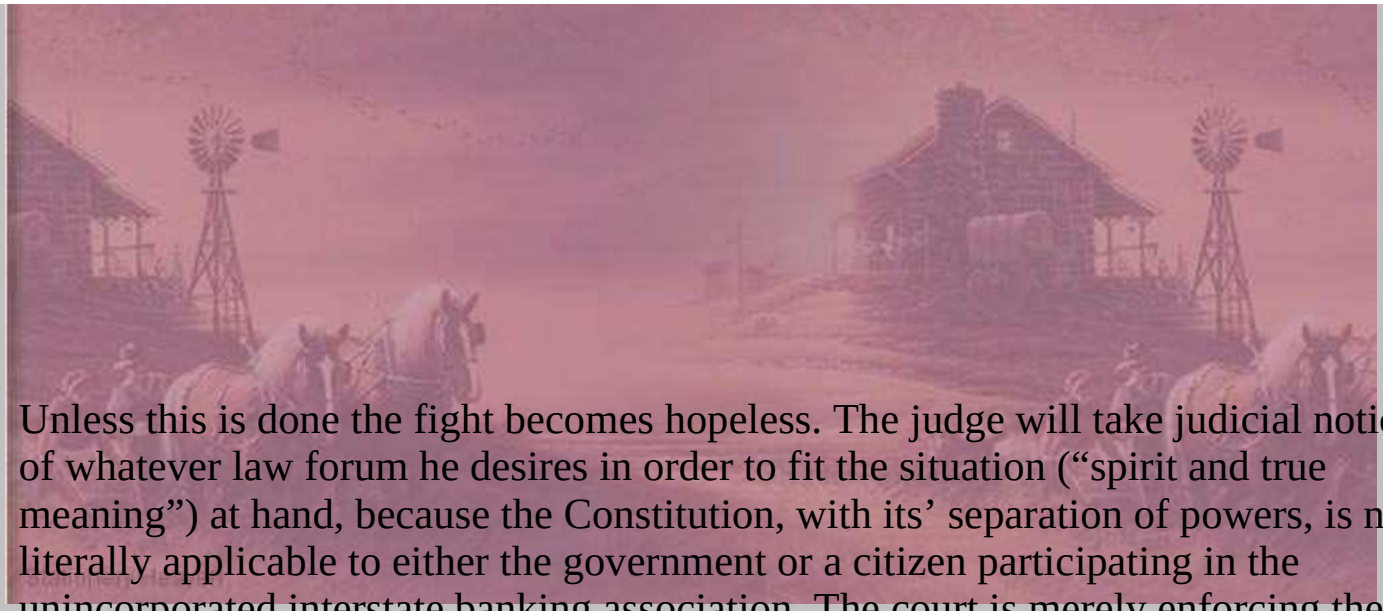
(1978).

In other words, a pledge is compelled performance in equity.

Because of HJR 192 discharging all debt, the minute you touch an evidence of debt you are considered as having created taxable income. But, it is only prima facie evidence of income. Article I Section 10, Amendment 10 and Article IV Section 3 clause 1 are there for those who do not want or choose to be a part of the unincorporated interstate banking association.

Again, whether the 16th Amendment was properly ratified is irrelevant and frivolous. In addition, whether amendments to the constitution are properly ratified, is a political question (See Coleman v. Miller, 307 U.S. 433). The 16th Amendment cannot be properly ratified pursuant to the Constitution, because the amendment represents the civil law. And since the introduction of the Federal Reserve Act in 1914, the 16th Amendment no longer applies. Your compelled performance now comes through the 14th Amendment, and Article IV Section 3 clause 2.

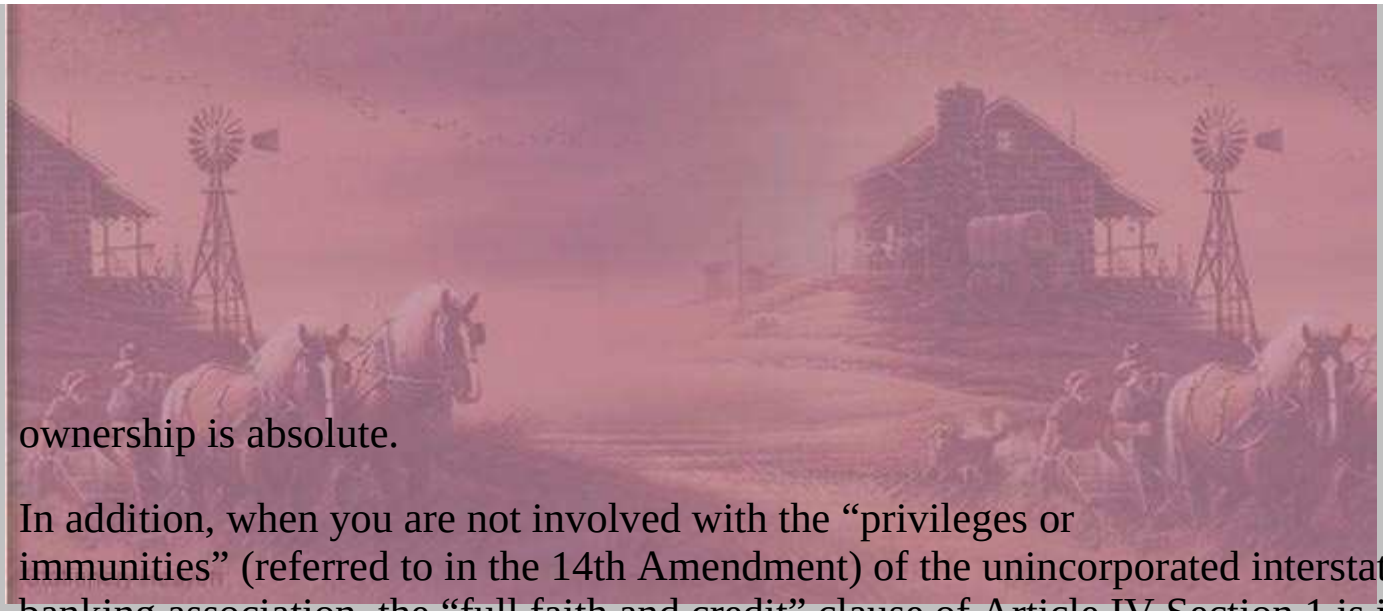
Also, all arguments that statutory provisions are unenacted by Congress, or unpromulgated in the Federal Register with no published implementing regulations or authority in the CFR are meaningless. They are meaningless since these provisions pertain to entities that have federal franchises issued under the authority of the Government under Article I and do not pertain to local law under the unincorporated association (called public policy) of Article IV Section 3 clause 2. Any cases involving the unincorporated association (social security federalism) under Article IV Section 3 clause 2, the courts base their decisions on public policy. Public policy is not law per se, it is whatever the social security association (commune) under Article IV Section 3 clause 2 wants. The judge, in such a case, wears the hat of a private Roman officer and acts accordingly. In other words, the judge constructs a trust. First and foremost the social security trust must be dismantled before you attack any other segment of the tax structure.



Unless this is done the fight becomes hopeless. The judge will take judicial notice of whatever law forum he desires in order to fit the situation ("spirit and true meaning") at hand, because the Constitution, with its' separation of powers, is not literally applicable to either the government or a citizen participating in the unincorporated interstate banking association. The court is merely enforcing the citizens contract rights under Article I Section 10.

So how did you volunteer or contract for the compelled performance of the unincorporated interstate banking association? 1) If you have given a gift to the public policy association such as a W-4 Withholding form. 2) If you deal in the debt/credit of the banks by sending personal checks interstate and/or using credit cards. In other words, if you avail yourself of the benefits of the unincorporated interstate banking association, you are guilty by association with this association.

However, the good news is that your right to contract under Article I Section 10 is still very much alive. This means that you cannot be compelled to volunteer or perform in equity in lieu of "Payment" at law if you are NOT a member of the unincorporated interstate banking association that is deferring payment of debt. "Payment" at law deals with absolute property rights, as does Section 1 clause 3 of the 14th Amendment. If you are a member (by volunteering knowingly or unknowingly) of the unincorporated interstate banking association, you are subject to Section 1 clauses 1 and 2 of the 14th Amendment, which treats "discharge" as payment in equity, because there is no constitutional injunction of "payment" at the federal level. There is only an injunction at the state level under Article I Section 10. Thus, even though the debt is "discharged," clause 3 of Section 1 of the 14th Amendment, along with the 9th and 10th Amendments, mandates that the states, referred to in Article IV Section 3 clause 1, treat real property as being owned absolutely for those who have NO 14th Amendment "privileges or immunities" resulting from the unincorporated interstate banking association. That is to say, anyone who has not reached in to take advantage of the "privileges or immunities" of the unincorporated association, called federalism, has no contact or relationship with the state or federal government and, therefore, all property



ownership is absolute.

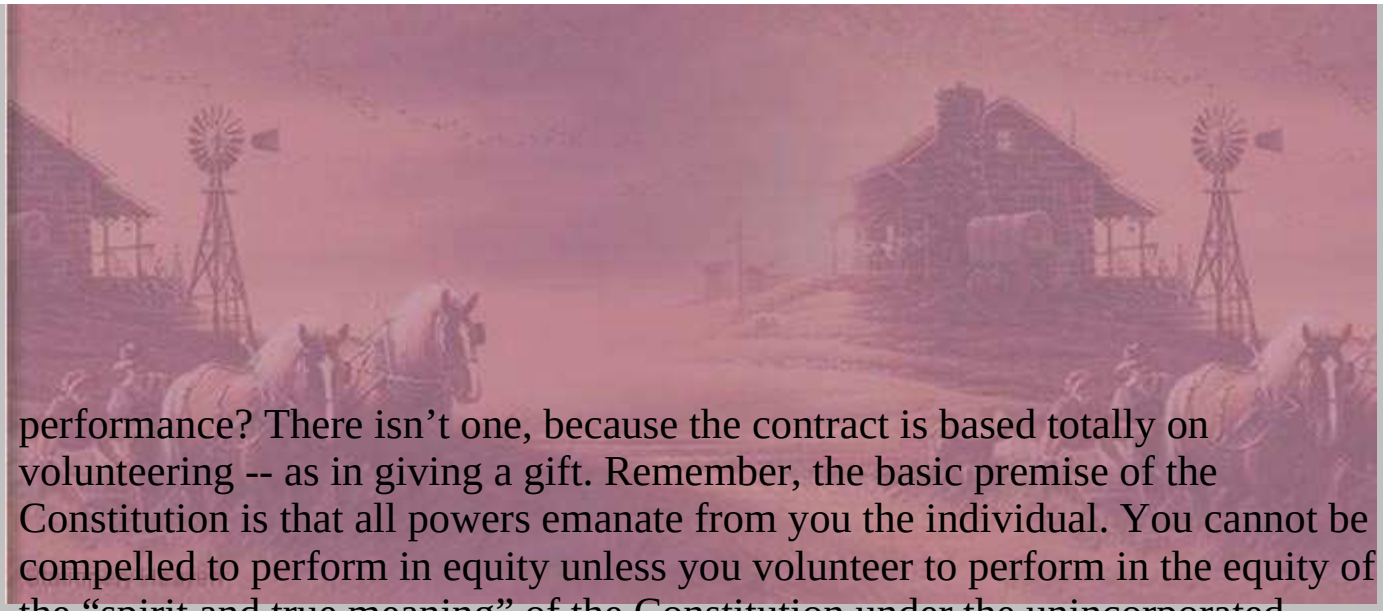
In addition, when you are not involved with the “privileges or immunities” (referred to in the 14th Amendment) of the unincorporated interstate banking association, the “full faith and credit” clause of Article IV Section 1 is in your favor. This means, any court decision of any other state can be used as if it were a court decision of your state with the same full legal force and effect, because you not subject to the U.S. citizenship restrictions of the 14th Amendment, when you are not participating in the “privileges or immunities.” If you are not subject to “privileges or immunities” of the 14th Amendment, you have not volunteered for “a territory” communal unincorporated interstate banking association of federalism (termed in most state statutes as “this state”), thus there is no residual of the debt left over, as noted in Stanek v. White, 172 Minn. 390, 215 N.W. 784, to compel performance to that association.

There is a distinction between a “debt discharged” and a “debt paid.”

When discharged the debt still exists though divested of its character as a legal obligation during the operation of the discharge. Something of the original vitality of the debt continues to exist which may be transferred, even though the transferee takes it subject to its disability incident to the discharge. The fact that it carries something that may be a consideration for a new promise to pay, so as to make an otherwise worthless promise a legal obligation, makes it the subject of transfer by assignment.

And how can this be? There is a very important principle, alluded to earlier, that was stated in Digest 44. 7. 21, which was relied upon in court, for instance, in the 1792 case of Armour v. Campbell, M. 4476 and it states: Where he made the contract. But it is deemed to be contracted not where it was entered into, but where payment is due [contract performed].

So, if there was no payment, how can there be a contract to compel one to

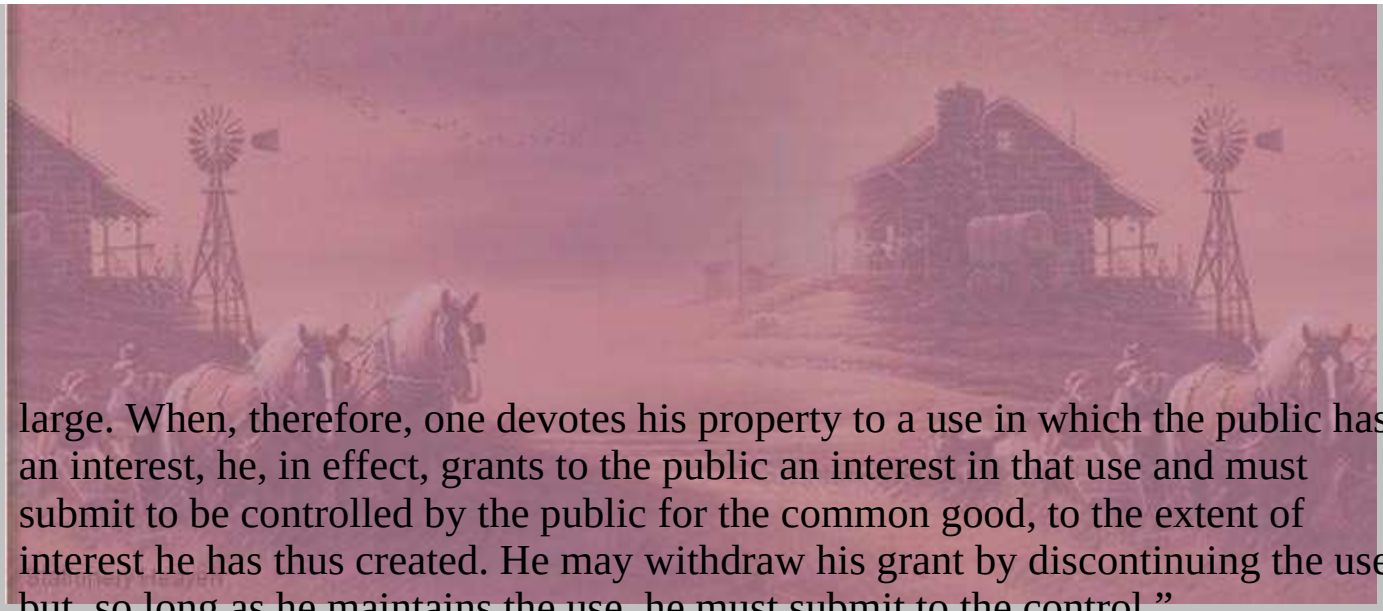


performance? There isn't one, because the contract is based totally on volunteering -- as in giving a gift. Remember, the basic premise of the Constitution is that all powers emanate from you the individual. You cannot be compelled to perform in equity unless you volunteer to perform in the equity of the "spirit and true meaning" of the Constitution under the unincorporated association through the use of interstate banking and credit cards and submitting W-4 and 1040s.

When you volunteer to use the interstate banking association in commerce, you agree to never demand payment. The fact that you cannot pay debt, does not compel you to be a slave to the interstate banking association. You cannot be compelled to perform in equity in lieu of "Payment" at law if you are NOT a member of an unincorporated banking association. If you do not pay debt, there is only a debt / creditor relationship and, therefore, no contract under Article IV Section 3 clause 2. Also, where there is no payment of debt there is no common law as expressed under Article IV Section 3 clause 1 and Article 1 Section 10, there is only equity,40 and equity compels performance under Article IV Section 3 clause 2 while Article 1 Section 10 does not apply.

Remember, it is about contract and you do have free will to contract. So where do you want to function? Under the "spirit" of the constitution, as determined by Congress' and the courts' interpretation, so acting because of diversity? Or do you want to be living as a true sovereign under the literal letter of the Constitution and the first ten amendments to the Bill of Rights?

As noted in Munn v. Illinois, 94 U.S. 113 the Court said: This brings us to inquire as to the principles upon which this power of regulation rests, in order that we may determine what is within and what without its operative effect. Looking, then, to the common law, from whence came the right which the Constitution protects, we find that when private property is 'affected with a public interest, it ceases to be juris privati only'. … Property does become clothed with a public interest when used in a manner to make it of public consequence, and affect the community at



large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use and must submit to be controlled by the public for the common good, to the extent of interest he has thus created. He may withdraw his grant by discontinuing the use; but, so long as he maintains the use, he must submit to the control."

By participating in the gifting of discharge of debt via the interstate banking association, you have devoted your property, under contract, "to a use in which the public has an interest." In other words, your life, liberty and property have "become clothed with a public interest," because of voluntary contract, therefore, you must "submit to be controlled by the public for the common good." That is to say, public policy and judicial discretion in the "spirit" of the constitution only control -- no guarantees.

How does one become sovereign? Get rid of your credit cards. Only use a bank for depositing checks and keeping track of your money under a non interest-bearing account. Never send or allow your personal checks to go interstate. Use postal money orders or your banks corporate certified checks or corporate money orders for sending interstate payments. Sever the contract by commencing an action in the state court and disclaim clauses 1 & 2 of Section 1 to the 14th Amendment; 15 U.S.C; Article IV Section 3 clause 2. The state court is the only place you have the common law option of obtaining jurisdiction41 without the use of a statute or Roman civil law. You fight the IRS in state court using federal law. You should never be in federal court unless in the Supreme Court. If defending in a federal court action, you must challenge service of process and subject matter jurisdiction. And simply remember this, HJR 192 is only prima facie evidence of the law. To overcome it you invoke your right to contract under Article I Section 10.